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## Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, who comes to us with light and life, turn the illumination of Your love upon our lawmakers, providing them with strength for today and bright hopes for tomorrow. May they feel Your presence moment by moment and comprehend that You can still make the crooked places straight.

Lord, remind them that they are stewards of Your blessings and accountable to You for their actions. Help them also to remember that You require faithfulness from all who serve Your Kingdom.

We pray in Your wonderful Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDENT pro tempore. The Senator from Hawaii.

Ms. HIRONO. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. HIRONO). Without objection, it is so ordered.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### BUSINESS BEFORE THE SENATE

Mr. SCHUMER. Madam President, the Senate begins this week with a lot to accomplish in very little time. This week, and in weeks to come, Senate Democrats will continue our work to pass historic legislation to strengthen our economy and renew America's middle class for the 21st century.

Very soon, we will also take up a continuing resolution to avoid a need-less government shutdown and provide emergency funding necessary to settle Afghan refugees and those devastated by this summer's natural disasters.

We must also work on a bipartisan basis to extend the debt ceiling to preserve the very important and cherished full faith and credit of the United States.

The Senate will also consider recently introduced voting rights legislation and advancing President Biden's nominees to the judiciary and to his administration.

So the next few weeks will be critical weeks for the Senate. Members should be prepared for the possibility of working late nights and into the weekend.

On the nominations front, we will begin the week by confirming Ms. Veronica Rossman of Colorado to serve on the Tenth Circuit. Ms. Rossman has spent the majority of her career in public service, representing criminal defendants who cannot afford counsel oftentimes. She would be one of very few Federal public defenders on the entire Federal bench, bringing both personal and professional diversity to our courts at a time when we need to strengthen the public's trust in the Federal judiciary.

In addition to Ms. Rossman's confirmation, Senate Democrats are working to confirm many other nominees for a critical number of Agencies, including the Departments of Defense, State, and Treasury.

Now, unfortunately, some of our Republican colleagues have chosen to play cheap political games and stone-

wall the confirmation of these uncontroversial but essential nominees.

Let's be clear. By blocking these perfectly qualified public servants, my Republican colleagues are deliberately hindering our government's ability to protect our country and to work with our allies abroad.

These nominees should be the work of a few hours at most. Many of them have been reported out of committee with bipartisan support and, under normal circumstances, would be confirmed without any trouble.

And so while my Republican colleagues won't be able to stop these nominees from reaching final confirmation, their stonewalling will drag out what would normally be a routine and easy process. The few obstructionists on the Republican side who are leading this charge are deliberately derailing the confirmation of these important nominees in an all-out effort to gain the support of hard-right elements of their party, and in the process—the nasty political process they are engaged in—they are making Americans less safe at home and abroad. They should stop immediately, and the Republican leader should admonish them.

Now, on the legislative front, Democrats continue to make good progress toward enacting our Build Back Better agenda into law. Last week, the House completed their markups—the House committees completed their markups on the legislative text that underpins Democrats' reconciliation bill.

Here in the Senate, our caucus held a long and productive discussion last week about the substance of our bill. We will continue these discussions as the week progresses.

Now, no one expected that it would be easy to pass legislation to transform the American economy and provide the biggest tax cut for the middle class in a generation. But no one in this body was elected to do only the easy stuff. We have a lot of hard work to do, and

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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we are going to keep at it until we get the job done.

Now, I just want to say something about the news we received last night about the Senate Parliamentarian.

Last night's ruling was extremely disappointing. It saddened me. It frustrated me. It angered me. But make no mistake. The fight continues.

Senate Democrats have prepared alternative proposals and will be holding additional meetings with the Senate Parliamentarian in the coming days.

I have been working closely with my colleagues in the Senate, including Judiciary Chairman DURBIN, Senators PADILLA, MENENDEZ, LUJÁN, and CORTEZ MASTO, and we will continue our fight to find the best option available to provide immigrants with the chance at one day obtaining lawful residence here in America.

The last year and a half have shown how vital our immigrants have been to keeping our economy going during a time of crisis. So many risked their lives on the frontline of this pandemic but remain excluded from the very same benefits that have kept millions of others secure during these hard times.

We are short of workers from one end of America to the other. One of the reasons, the Trump administration dramatically cut back on immigrants in this country. We need them. We need them in our labor force. We need them to continue American vitality. We need them because they are part of the American Dream.

It is estimated in my city by some that one-third of the healthcare workers at the height of COVID who risked their lives for us were immigrants.

Having a strong law that helps our immigrants is vital. The American people understand that fixing our broken immigration system is a moral imperative and an economic imperative. Immigration reform has been one of the most important causes of my time in the Senate, and I will not stop fighting to achieve it.

Finally, on addressing the debt limit, on debt limit the Republicans are doing a dine-and-dash of historic proportions that hurts the American people and hurts our country. That hurts the American people and hurts our country.

In the immediate future, both parties will have to come together to allow the Federal Government to continue its most important responsibility: paying the bills and making good on our outstanding obligations.

A few minutes ago, I joined with Speaker PELOSI in announcing that the continuing resolution that we will take up to avoid a government shutdown will also include a suspension of the debt limit through December 2022, allowing us to meet our obligations and preserve the full faith and credit of these United States of America. Suspending the debt limit through December of 2022 provides an amount of time commensurate with the debt that was

incurred as a result of the \$908 billion COVID emergency relief bill last year. That was a bill that was passed when Donald Trump was President and Senator MCCONNELL was the majority leader of the Senate. It was passed under Republican leadership. That is the debt we are paying in this bill. The legislation that funded this \$908 billion in COVID relief was supported by more than 40 Republicans and signed into law by President Trump. So anyone who says this is Democratic debt is not talking fact; they are talking fiction.

Both sides—both sides—have a responsibility to pay for the debt that we have already incurred. It has always been done in a bipartisan way. Unfortunately, last week, Leader MCCONNELL announced that the Senate Republicans are inclined to deliberately turn their backs on their obligations.

When asked if Republicans would block an extension of the debt limit, Leader MCCONNELL, amazingly and cravenly, said that “Republicans are united in opposition to raising the debt ceiling.” Shame. This is the same Leader MCCONNELL who urged Democrats and Republicans to support raising the debt ceiling when Donald Trump was President and he was majority leader. He always comes up with some sophistry as to why it is different, but everyone knows it is not different. In fact, Democrats supported three times raising the debt ceiling when Trump was President, and if my recollection is right, at least one of those times was when the House, the Senate, and the Presidency were controlled by Republicans.

Should Republicans careen our country toward a default, our country could actually be plunged into recession—laying off millions, making it harder for people to pay for the food on the table and their mortgages and their rent. Shame, shame on the Republican leader.

As Secretary Yellen put it just days ago, failure to raise the debt limit would have “absolutely catastrophic economic consequences . . . [and] would precipitate a financial crisis.” A default would risk sending interest rates sky high across the board, hurting consumers, small businesses, and our country's ability to borrow in the future. Our economy, still fresh off the trauma of the COVID crisis, could slip back into recession and undo everything we have done to help struggling Americans pick themselves back up.

Now, many on the other side, including the Republican leader himself, are trying to justify their reckless position with deeply misleading talking points. They have argued over and over again that they refuse to work with Democrats because they oppose our forthcoming legislative agenda. Of course, what they don't say is that these two issues have nothing to do with each other. The forthcoming legislative agenda has not incurred any debt—a nickel of debt—in the United States. It was the previous agenda of President

Trump and the Republican Senate and Republicans in the House that created this debt.

Republicans ignore the analysis like the one done by the Washington Post, which observed that “roughly 97 percent of the current U.S. cumulative debt was accrued before Biden took office.” Indeed, none other than the Wall Street Journal made this even clearer. “Raising the debt limit wouldn't facilitate future spending,” it said, “and Congress would still need to raise the debt limit this fall even if no new major spending programs are enacted.”

I want to repeat that not just for Leader MCCONNELL but for my Republican colleagues. Hopefully there are some who will rise to their responsibility and abandon this craven, political move, which would do such harm to the United States, that the Republican leader has proffered. So I will read it again. The Wall Street Journal said, “Raising the debt limit wouldn't facilitate future spending” and went on to say that “Congress would still need to raise the debt limit this fall even if no new major spending programs are enacted.”

So the bottom line is simple. Let me repeat. What Republicans are doing is nothing short of a dine-and-dash of historic proportions. They want working-class American families to foot the bill for their irresponsibility, and as a consequence of their callous political games, it will be veterans and Social Security payment recipients who suffer most.

This isn't just another partisan fight. This isn't who can be more macho. This is about the country. All too often, the press—they make it into macho, macho. That is wrong. What one party is doing here, everyone knows, is deliberately wrong—at least the Republican leader and all those who choose to follow him—with serious consequences for the people. It is not just another partisan fight; it is about avoiding a crisis that would undo all the progress our country has made to heal itself of the COVID crisis.

Democrats are going to do the responsible thing and vote to extend the debt limit when the time comes. We will see which of our Republican colleagues on the other side will have the strength and the courage to follow suit.

I yield the floor.

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#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

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#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Margaret Irene Strickland, of New Mexico, to be United States District Judge for the District of New Mexico.

## RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

## GOVERNMENT FUNDING

Mr. McCONNELL. Madam President, over the past year and a half, senior Democratic leaders decided the upheaval and hardship of a once-in-a-century pandemic was actually a chance to justify radical leftwing change.

This isn't just me conjecturing; it is what they keep saying. Right at the start of the crisis, March 2020, the House Democratic Whip said the pandemic offered "a tremendous opportunity to restructure things to fit our vision."

Just last week, President Biden said: "This pandemic has been God-awful for so many reasons. . . . But"—"but," he said—"it does present us with an opportunity." So they get points for honesty, at least. The reckless taxing-and-spending spree the Democrats are writing behind closed doors is designed to leave Americans with a socialist country they never voted for and a country that working families, in many ways, would barely recognize.

Last night, one of those many efforts hit a stumbling block. Senate Democrats were reminded the rules of this institution will not permit them to shove a massive amnesty for illegal immigrants into a reckless taxing-and-spending spree they want to ram through on a party-line basis.

Our Democratic colleagues cannot pretend that massive transformational policy changes are mere budgetary tweaks. As no less an authority than our colleague now-Chairman BERNIE SANDERS said just a few years ago, "the function of reconciliation is to adjust federal spending and revenue, not"—not—"to enact major changes in social policy." That is Chairman SANDERS a few years ago. That is a lesson he and his caucus need to relearn.

Even with the border as insecure as it has ever been, the far left wanted sweeping amnesty, and Democratic leaders dutifully tried their very best. It just goes to show you how radical this legislation is going to be.

Democrats want to tamper with Americans' Medicare and stretch the program even thinner, while it already faces fiscal challenges. They want to interfere massively with the States that choose not to bow to Obamacare mandates on Medicaid; they want to use healthcare dollars to line the pock-

ets of special interests with big union giveaways; and they want to impose socialist price controls on Americans' medicines that would leave us with fewer new treatments and new cures in the future.

It adds up to a massive leap toward socialized medicine. But somehow this still only scratches the surface.

Democrats are also trying to force through an unprecedented Federal takeover of American families' childcare options that may leave faith-based childcare providers high and dry. They want an all-out assault on affordable, reliable, homegrown American energy so the entire country could be marched toward California utility prices, California gas prices, and California electricity blackouts—just what families want.

Look, I could go on all day. The reckless taxing-and-spending spree that Democrats are writing behind closed doors is shaping up to be exactly what they promised: an effort to exploit this terrible but temporary pandemic as a Trojan horse for permanent socialism.

Now, on a related matter, Democrats have united, unified control of the Senate, the House, and the White House. Their strategy for all this transformational borrowing, spending, and tax hikes was deliberately designed to include no Republican input and to receive no Republican votes.

Since Democrats decided to go it alone, they will not get Senate Republicans' help with raising the debt limit. I have explained this clearly and consistently for over 2 months. We do not have divided government. Democrats do not need our help. They have every tool to address the debt limit on their own—the same party-line process they used to ram through inflationary spending in March and already plan to use once again this fall.

Now, look, this might inconvenience Democrats. It might delay their next reckless taxing-and-spending spree, but Democrats cannot risk the full faith and credit of our Nation to serve their own partisan timelines. Democrats decided to govern alone. Their unified Democratic government must put basic governing duties ahead of partisan wish lists. If they don't, the consequences for our country would be catastrophic.

Senate Republicans would support a clean continuing resolution that includes appropriate disaster relief and targeted Afghan assistance. We will not support legislation that raises the debt limit.

Remember, when the debt suspension lapsed in August, the debt limit was automatically ratcheted up to account for all of the borrowing that had occurred up to that date. This isn't about the past. It is about the future. And Democrats want to build a partisan future without our input. So Democrats will not get bipartisan facilitators for their purely partisan spending binge.

Democrats are fully capable of owning this step themselves. The Demo-

cratic chairman of the House Budget Committee admitted just yesterday: "We can do it through reconciliation. [But] [l]eadership has said they don't want to do that."

One party controls the entire government. They have the power to address this alone. And as I have warned since July, that is what they will need to do.

## TRIBUTE TO HAL ROGERS

Madam President, now, on one final matter, Representative HAL ROGERS once described Southeastern Kentuckians by saying: "They're honest, forthright. . . . they can see through a phony in a minute flat." So it is fitting his constituents just reelected him by 70 points. He is certainly honest, forthright, and no phony.

For over 40 years, HAL has fought for his home region and delivered unparalleled support for its development and its growth. In honor of HAL becoming the longest serving Representative in the history of the Commonwealth earlier this September, I would like to pay tribute to this one-of-a-kind Kentuckian.

I first met HAL during the 1971 Kentucky gubernatorial election. He was already a rising star in the State Republican Party, having just been elected Commonwealth's attorney for Pulaski and Rockcastle Counties 2 years prior. As a fellow attorney and young conservative, I looked up to HAL and watched his career with considerable interest.

Less than a decade later, HAL was elected to the House of Representatives in Kentucky's Fifth Congressional District the same year Ronald Reagan was elected President. Since then, he has won reelection 19 times, always by a wide margin. He loves his corner of the State, and as his repeated victories absolutely prove, his constituents love him right back.

Once HAL got to Congress, he quickly went to work fighting for the issues his constituents cared the most about. His hard-won legislative victories earned him praise from fellow House Republicans who tapped him to lead the House Appropriations Subcommittee on Homeland Security in the wake of the 9/11 terrorist attacks.

Eight years later, he became chairman of the full House Appropriations Committee, expertly cutting spending, reducing waste, and directing funds to important projects all across the country. As a former Commonwealth's attorney, HAL used his law enforcement credentials to defend Kentucky from a wide array of threats. Before the rest of America was paying full attention to the scourge of substance abuse, HAL launched Operation UNITE.

The anti-narcotics initiative covers 32 Kentucky counties and has been on the frontlines in the fight against the opioid epidemic, helping to lock up thousands of criminals and remove millions of dollars' worth of illegal drugs from the streets.

HAL is a lead promoter of investment in Southeastern Kentucky, which for

too long has suffered economic distress and seen indifference from Washington. He united Kentucky's Appalachian counties around the Shaping our Appalachian Region, or SOAR, initiative to create a concerted effort to attract jobs and development to the region.

He revolutionized Southeastern Kentucky's water infrastructure, bringing new water treatment centers to our State and championing flood protection measures.

He wrangled Federal funding for the Cumberland Gap Tunnel in Bell County, which he described as "the most significant thing that has happened there since Daniel Boone began to bring settlers through the gap."

He helped bring the fine arts to Southeastern Kentucky through the Mountain Arts Center in Prestonsburg.

Locals are so appreciative of HAL's many projects that they dubbed the state-of-the-art Center for Rural Development in Somerset, one of his capstone initiatives, as the "Taj Ma-Hal" in his honor.

And that is not the only place in HAL's district that commemorates his service. If you visit Southeastern Kentucky, you will drive along the gorgeous Hal Rogers Parkway, study groundbreaking technical advances at the Hal Rogers Advanced Technology Center, and learn important career skills as part of the Hal Rogers Scholars Program.

Whitley County residents were so thankful for HAL's work that they even named the home of their new Kentucky Splash Water Park, the Hal Rogers Family Entertainment Center.

In Congress, we are just as fond of HAL ROGERS as his constituents are back at home. I have been proud to work alongside this premier legislator for nearly four decades. We share the same priorities for the people of Kentucky and the same vision for our State's great future.

HAL would not be the man he is today without the love and support of his late wife Shirley and their children, Anthony, Allison, and John. Later in life, HAL met and married Cynthia, a Tennessean who has also come to love Kentucky and its people.

So as HAL breaks the record as the longest serving U.S. Representative in Kentucky history, let us all give thanks to this great public servant and the entire Rogers family.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. FISCHER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRECISION AGRICULTURE

Mrs. FISCHER. Madam President, I have heard so many inspiring stories about how small businesses across the country adapted to COVID-19 and refused to give up, even when the odds seemed overwhelming.

Mac's Creek Winery in Lexington, NE, is a great example. Owned by two generations of the McFarland family, this winery and brewery has been a Nebraska favorite since 1999. Like so many other small businesses, they were forced to shut their tasting rooms' doors when COVID hit.

But the McFarlands soon pioneered a new way to share their work with the world. They began hosting virtual tastings through Facebook Live, inviting their community to join them from home and enjoying these Nebraska-made wines.

Their first event in March of 2020 attracted just a few dozen viewers, but their livestreams soon grew to reach thousands of people across the country. HGTV featured them on their website, and they won best virtual event at the Nebraska Tourism Industry Awards last September.

When I visited Mac's Creek earlier this year, I had the chance to see firsthand how they have bounced back from the pandemic. Mac's Creek beat the odds, and they even turned last year's hardships to their advantage. But years before COVID, they overcame an even greater challenge, one that threatened to destroy their entire business.

In 2013, herbicide drift from neighboring farms wiped out nearly all of their 4,000 grapevines. This accident cost them well over \$1 million in lost production and set their growth back by at least 5 years.

They couldn't just move their vineyard somewhere else, so just as they did last year, they looked at what they needed to do and they turned to innovation to find success. With help from a grant from the U.S. Department of Agriculture, Mac's Creek was able to buy purpose-built drones to keep an eye on their 25 acres from above. These drones can help them look for early signs of herbicide drift and stop it from happening before it even starts. And they haven't suffered another incident since.

This Nebraska business took on a risky investment to protect their crops. Their drones are an example of what is known as precision agriculture technology, and Nebraska leads the United States in its adoption.

Producers from wineries to cattle ranchers can use drones and other 21st-century equipment to look after their life's work. For example, if a corn farmer wants to use less water, precision ag technology can help them calculate exactly how much to use. They can produce the same amount of corn using as much as 35 percent less water.

If a rancher wants to equip their feed bunks with sensors that track feed intake, monitor animal health, and even measure emissions from their cattle, precision ag can help them do that.

And these technologies don't just measure inputs. Autosteer and mapping technologies can also make farms more efficient, allowing producers to use less fuel to get better results. All of

these things are potential uses of precision agriculture technology, and all of them help producers become more efficient with their resources.

This equipment, it has been around since the 1990s. But like all technologies, it is constantly changing. As it grows more advanced, the market for it expands as well. And we have seen a huge rise in demand in recent years.

Precision agriculture is revolutionizing the way America's producers put food on our tables, but these technologies aren't cheap. Many farmers with small- or medium-sized operations would love to have these cutting-edge technologies, but their cost puts them just out of reach.

The adoption of precision ag equipment has been greatest on large farms, where the savings spread across many acres can generate enough to make this equipment cost effective. This equipment has the potential to transform the way producers of all sizes manage their farms, but if it only helps a small family farmer save maybe \$5 an acre next season, a \$150,000 investment starts to look a lot less attractive.

Madam President, the World Economic Forum estimates that if just a quarter of the world's farms adopted precision ag practices, farm yields globally could increase by 15 percent. They have also shown that greenhouse gas emissions and water use could decrease by at least the same amount. Adopting these technologies in Nebraska has already helped producers reduce soil erosion and carbon output while also increasing water quality in the area around their operations. And according to a recent report about the environmental benefits of precision ag, even at the current levels, this equipment already saves 30 million pounds of herbicide, 100 million gallons of fossil fuels, and 500 million gallons of water every single year. And that is just in the United States.

These technologies can help us feed a growing population while also caring for our environment. We should be encouraging more producers to turn to precision agriculture, and that is why I am joining with the senior Senator from Minnesota to introduce a bill to create a loan program that would help them do just that.

My bill would establish the Precision Agriculture Loan Program, which would offer low-cost and low-term loans to producers who want to adopt precision ag technologies but they may be unable to make these investments through traditional banks. This would be the first Federal loan program dedicated entirely to precision ag, and instead of upward of 5 percent in interest, producers could pay interest rates under 2 percent on loans 3 to 12 years in length. These loans would cover precision ag technology that improves efficiency or it reduces inputs. My bill would help the math start to make sense for our producers who would like to adopt these technologies, but they haven't been able to afford them.

It is rare to find an issue that is so clearly a win-win for everyone involved. From the University of Nebraska to the Association of Equipment Manufacturers, the Nebraska Farm Bureau, and the American Conservation Coalition, support is growing for making precision agriculture more accessible.

Another bill I introduced with Senator KLOBUCHAR in April, which would help farmers connect precision ag technologies to each other through the internet of things, has been met with a similar outpouring of support. That is because precision agriculture—those technologies—really have no drawbacks. It is better for ag producers, rural communities, consumers, and the environment, all at the same time.

The biggest obstacle is the cost, and that burden falls mostly on the smaller farms that can't afford to take the risks. Well, my bill will give smaller operations the backing that they need to manage those risks.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. GILLIBRAND). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IMMIGRATION

Mr. DURBIN. Madam President, I understand Senator WHITEHOUSE has reserved time on the floor, and I will yield to him when he does arrive, but I would like to say a few words.

I would like to talk about the state of the coronavirus epidemic in our country. But before I do I want to respond to the Senate Parliamentarian's ruling last night on immigration reform.

While I am disappointed by this decision, I am not giving up on this fight. There are too many lives at stake. Over the past 18 months, thousands of DACA recipients and other immigrants have saved American lives as doctors, intensive care nurses, paramedics, respiratory therapists. They have risked their own lives for us, for our friends and loved ones. The least we can do to honor their sacrifice is give them a path to legal status in America.

In the coming days, Senate Democrats will present an alternative proposal to the Senate Parliamentarian. But the fact is, we already know how essential immigrants are to America and our economic future.

During the pandemic, undocumented immigrants have not only been saving lives in our Nation's hospitals. They have been toiling in extreme heat on farms across the country to secure the food that we eat every day in America. They have defended our national security as members of the military. They have been working as home health aides, helping care for our parents and

family members with disabilities. And they have been caring for our children as teachers and childcare workers.

They are Americans in every way except for their official legal status. It is far past time to fix that, and that is exactly what Senate Democrats intend to do through budget reconciliation.

This is an issue which is not new to the Senate. It is certainly not new to me. It was 20 years ago that I introduced the DREAM Act—20 years.

Of course, many people have said: DURBIN, if you are such a great legislator, what are you waiting for?

And a lot of these Dreamers and DACA-protected people have said the same.

I will tell them that, on at least five separate occasions, we have brought the DREAM Act to the floor of the Senate only to be stopped by the filibuster—five times during the course of 20 years.

The one time that it was passed during comprehensive immigration reform, the Republican leadership in the House refused to consider the measure, and it was left in the current state.

I recall the previous President, Donald Trump, assuring me that he was going to take care of those kids—in his own words. Well, he certainly did. He tried to abolish DACA and to remove the protection which 780,000 of these young people have.

You see, these are young people who came to the United States as infants, toddlers, and little babies. They were brought here by their parents, and they grew up in America and did everything you were supposed to do—went to school, had the odd jobs, worked around the house, believed in the future of this country. But when they showed up in the classrooms every day, they lifted their hands and pledged allegiance to that flag. They believed it was their flag. And it wasn't until later in life that their parents leveled with them, told them that wasn't the case at all; they were undocumented—technically illegal, in the words of some.

I can't imagine having that hanging over your head, knowing that any day there might be a knock on the door, that someone in your family might be removed, or your whole family deported, for that matter. They lived under that shadow their entire lives, and they still did remarkable, courageous things.

I have come to the floor of the Senate 125 times to tell their stories individually with color photographs, to let my colleagues know that there are people behind these numbers—real people, amazing people. And over the years that I have told their stories, more and more of my colleagues on both sides of the aisle have come up afterward and said: What can we do?

Well, what we can do is we can pass legislation to give these young people a chance, to give many others a chance too.

These farm workers, for goodness sakes—half of the farm workers toiling

in America today are undocumented. We don't think twice about whether we are going to eat the fruit that they pick or the vegetables they deliver to the market. We take it for granted that it will be there. Many of these people have spent a lifetime working for dirt wages in miserable jobs that many Americans wouldn't consider.

To give them a chance to become legal in America is a reflection on who we are.

I know my critics will say: Aren't you paying any attention to the southern border?

I am. There is a lot to be done. Right now, we are dealing in Del Rio, TX, with thousands of Haitians who were lured by some of these smugglers and others to come to that port in the hope of being able to enter the United States. That is not happening in most cases. Many of them are even being returned to Haiti.

It doesn't solve the individual family problem but addresses the reality of immigration in America today. There are certain fundamentals we need in any immigration system. We won't get those fundamentals with the current laws.

What are they? Basically, we need border security. In an age of terrorism and drugs, we need to know who is coming into this country and whether they are bringing anything with them that will hurt anyone. Secondly, we should never knowingly allow a dangerous person to come in the United States or to stay in an undocumented status, period. And number three, America cannot absorb, at any given time, everyone who wants to come and live here. We have to have an orderly process, one that reflects our values, particularly for those who are seeking asylum and refugee status.

The refugee issue was brought home to us a few days ago in Afghanistan, where families in that country, who had helped American soldiers in every way that they could and risked their own lives, asked for refuge in the United States. The outpouring of support for those refugees outweighed the numbers of critics and cynics, and I am glad because I think that reflects who we really are.

In the next few hours and days, we will be preparing an alternative approach to the Parliamentarian in the hopes that it can be included in reconciliation and not be stopped again by the filibuster, which has held it in the past.

I see my colleague, Senator WHITEHOUSE, has arrived.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### U.S. SUPREME COURT

Mr. WHITEHOUSE. Madam President, I return to the Senate floor to again discuss the scheme to capture our Supreme Court; in this case, it will be through the lens of how recent Justices got on the Court. And I will choose Brett Kavanaugh.

I think we all remember the famous list—the Federalist Society list—that Donald Trump promised to follow in Supreme Court appointments. The first interesting thing about Brett Kavanaugh is that he was not on the list of candidates that Donald Trump had offered up—this list that bought peace between house of Trump and house of Koch. Trump had promised he would appoint off that scheme-approved Federalist Society list. He didn't, and yet no one complained. That is a telltale right there.

There was no complaining because Brett Kavanaugh knew this terrain. He knew the central operative at the heart of this scheme, Leonard Leo. He had worked on judicial nominations in the Bush White House with Leonard Leo, who coordinated big donors' support for judicial nominees.

I have described before a judge who bemoaned to me what he called his colleagues auditioning—auditioning for higher office, auditioning for the Supreme Court. “Auditioning” was a telltale word that stuck with me. You don't audition without someone to audition to. Well, Kavanaugh knew the guy at the center of the scheme, and he knew that the donor turnstile to the Supreme Court was run out of the Federalist Society.

So Kavanaugh not only auditioned with Leo; he auditioned at the Federalist Society. And no one auditioned harder than Brett Kavanaugh. As a circuit judge, he campaigned through 27 Federalist Society events. I think he set the record for auditioning at Federalist Society events. He knew who, and he knew where. And he also knew what the big donors wanted. So he made sure his circuit-court opinions signaled his chops.

On abortion, *Garza v. Hargan*, OK to force a teenager to wait indefinitely for an abortion as the clock ran; check.

On guns, *Heller v. District of Columbia*, a dissent in the follow-up case to the Supreme Court *Heller* decision—in his case, one even more extreme than *Scalia*; check.

For polluters, *PHH v. CFPB*, waving the Federalist Society's unitary executive banner, even saying that regulatory agencies are a significant threat—I am quoting him here, regulatory agencies, the things that protect us from pollution and cheaters, are a “significant threat to individual liberty,” if you are a polluter; check.

And most important to this dark money scheme, *EMILY's List v. FEC*, where he said the front groups “are constitutionally entitled to raise and spend unlimited money in support of candidates for elected office” because it is “implausible that contributions to independent expenditure political committees are corrupting.” Yeah, how could that possibly be corrupting? Check.

So this is behavior. In nature, when you see behavior, you can draw conclusions. When you see, for instance, a vulture wheeling, you can expect some-

thing dead below. It is not always true; the vulture may just be wheeling in an updraft eddy. But when you get a number of vultures wheeling, it is pretty reliable that there is something dead below. And when so many judges start auditioning for advancement that their behavior acquires a name from other judges, you can be pretty sure there is an audience for their auditioning.

And Kavanaugh knew that audience. His relationship with Leonard Leo, his hustling of Federalist Society events, his insider knowledge of the Republican selection process and the big donors, and his ardent display of his wares in all the ways big donors would want, was a winning combination.

So Leonard Leo hand-walked him around the Trump Federalist Society list and straight to the top of the judicial selection pile, and no one with a hand in the Trump-Koch deal that spawned the Federalist Society list voiced an objection.

Kavanaugh had auditioned his way around the list, and the scheme could not have been happier with the outcome. All of that behavior is telling. There is a scheme, and Kavanaugh knew how to play it.

Now that the scheme had its man, they would fight for him. They did not know how hard the fight would be, until Dr. Christine Blasey Ford came forward with a tale of youthful sexual assault by Kavanaugh and a drunken buddy.

But even before that, there were telltales of the pressure to get Kavanaugh onto the Court. Thousands of pages of records from his White House days were withheld; blank pages stamped “Constitutional Privilege” were presented to us on the committee. They couldn't even bring themselves to call it “executive privilege,” the claim was so far-fetched. “Constitutional Privilege” was an invented phrase, but they knew no Republican would object.

The pressure was on. The play had been signaled. The money behind the scheme was the money behind the Republican Party, so Democrats could complain, but the Republican wall would hold. All our objections and requests would be overruled.

Another example of signaling from nature, you can tell a lot about the wind by looking at the water, as sailors know. You don't have to feel it; you can understand the wind by looking at the water. Little wavelets show where gusts of wind can be found on a still day. The water darkens where there are stronger puffs on windy days. As the wind grows, the waves grow bigger, and then whitecaps form. And as the wind strengthens more, wind lines appear—Langmuir circulation, the scientists call it—aligned with the wind's direction. And in a full gale, spindrift, foam from the tops of the waves—spindrift blows off the wave tops.

In the same way that you can tell a lot about the pressure of the wind by looking at the behavior of the water, you can tell a lot about the pressure of

the scheme by looking at the behavior of the Republicans—particularly in the gale-force controversy over Dr. Blasey Ford's testimony. By all rights, in any normal world, Kavanaugh would have been withdrawn. The fact that he wasn't is a telling signal of pressures afoot.

Allegations of sexual violence motivate domestic violence and victims groups, groups which Senators do not ordinarily choose to cross.

Is one judge worth that? Why not just pick another?

Yet they went forward—another telling signal of the pressure.

Senators usually prize their chance to question Supreme Court nominees, yet Republicans gave that up to a female prosecutor sent to disarm Dr. Blasey Ford's testimony—yet another signal.

Of course that didn't work. The witness's testimony was clear and credible. The female prosecutor was sent packing. Republican Senators were left in the touchy position of having to disbelieve Dr. Blasey Ford without any basis for disbelieving her.

Yet only one Republican Senator buckled—another signal. Senator Flake demanded some investigation, and here, the gale force pressure kicked in. This could not go on. Kavanaugh was too great a prize. The FBI was pressured to do a fake investigation. That is a fire alarm of a signal.

We saw many signs of things awry. For a while, early on, the FBI became impervious to information. To put it mildly, that is not the FBI's customary disposition. An FBI that suddenly becomes impervious to information is quite a signal. The FBI was told which few witnesses could be interviewed. The interviews were cursory and terse.

Other witnesses who came forward were ignored or turned away. Even when Dr. Blasey Ford and other witnesses were trolled by the “flying monkeys” of the far right so venomously that Dr. Blasey Ford had to stop teaching, had to leave her home, had to hide herself under the protection of a security detail, witnesses still tried to come forward. So ultimately, under pressure, the FBI announced a tip line for witnesses to contact, but the tip line was a fake.

The FBI has procedures for things, and it has tip line procedures. The FBI did not follow its tip line procedures. It appears the FBI did not follow up on any of the tips that came in on the Kavanaugh tip line. Instead, the FBI routed the Kavanaugh-related tips to the White House Counsel's Office for a decent burial.

We on the committee were ultimately allowed, in a classified setting—classified setting—2 hours of what you could call speed dating with documents to look through pile after pile of documents—no notes allowed, no photos allowed, no copies allowed. One of those piles, though, was tip line results, so we know that tips came in.

The FBI admits thousands of tips came in. None were followed up.

FBI statements at the time said they were following standard procedure. What they meant by that, which they later admitted, is that in background investigations, they are agents of the White House and under White House political direction, so their regular procedures did not apply. The standard procedure they said they were following was the procedure of not following the standard procedures, if you can get around that verbal somersault.

What the FBI did not say is that, aside from standard investigative procedures they did not follow, there are also standard FBI procedures for background investigations. The FBI is a procedure-bound institution. We are still digging and we are going to keep digging, but it looks like they didn't follow those background investigation procedures either.

For apparently the first and only time in a background investigation, I believe an FBI "investigation" was put under the operational control of the White House so that the White House could craft, with the FBI, the appearance of an FBI investigation without any real investigating. The kind of pressure it takes to do that is intense. That is gale force. That is the spindrift flying. It takes a gale of pressure to have the FBI violate so many of its own procedures, to meekly go along with the White House's abuse of the FBI's longstanding reputation for thoroughness and integrity. That is the kind of gale-force pressure the scheme can mount. The scheme had to have its prize.

Republicans even turned their guns on polite, honorable, bipartisan DIANNE FEINSTEIN. She was accused of a corrupt plot to sandbag Kavanaugh. Senator FEINSTEIN is not capable of such a thing, and everyone knows it, so this attack on her was yet another signal.

There was a new narrative to impose. Kavanaugh becomes the victim, wicked Democrats become the wrongdoers, Dr. Blasey Ford and her testimony get swept aside, and, in a well-whipped stampede of partisan tribal anger and grievance, Kavanaugh sweeps onto the Court.

Another signal that I am still seeing now is the effort of rightwing media to cover this all up. After Senator COONS and I pressed the FBI on this bogus investigation, the National Review and other rightwing outlets immediately published articles to tidy things up. Their main source seems to be a former Republican Judiciary staffer who tweeted and then deleted "Unfazed and determined. We will confirm Judge Kavanaugh" just a few days after the Blasey Ford investigation came to light, before this so-called investigation was concluded.

The coverup article suggests three things: First, hey, we had a chance to read all of the over 4,500 tips the FBI received; second, there was a 400- or a 600—it varies depending on the arti-

cle—page FBI report assessing the tips and exonerating Kavanaugh that was circulated to all Senators, and all we had to do was read it; and third, that had there been anything wrongful or incriminating or derogatory that was found, it could have been referred for further investigation.

Let's look at those three claims.

First, this "open access" to those documents was the 2-hour window I was talking about where we could go in and speed-date with raw FBI documents in piles and interview reports—again, no notes, no copies, no pictures; just piles of documents in a room we had to walk through and clear out of—and if we wanted, we could return to review the documents when votes on cloture and confirmation were ongoing. I am not making that up.

The supposed report, this 400- or 600- or whatever page report, is actually a 28-page document compiled by Republican Senate Judiciary Committee staff, not the FBI, with hundreds of pages of attachments to thicken it up. Those 28 pages are pure political whitewash that cast aside the credible claims offered to the FBI for further investigation but altogether ignored. Saying that this Republican committee report—so-called—was available to Senate Democrats is like saying we should have turned on FOX News for the lowdown on these tips—not actually.

As to the idea that we could have referred anything suspicious for further examination, I really don't know what these rightwing outlets are talking about. If they meant the FBI, that is not true. The FBI and the White House had agreed that the investigation was over as far as they were concerned. If they mean the Senate Judiciary Committee, that is as laughable as the 28-page whitewash.

One last signal here. The FBI continues to dodge questions about this investigation. It was over 2 years ago that Senator COONS and I asked simple, direct questions about the tip line. Only this summer did we receive the first smidgeon of a response. The response deflected us to an MOU between the White House and the FBI, which, when we dug around and found it, which we had to do ourselves, proved not to substantiate what we were being told. So we repeated our questions and repeated our questions, and last week, Director Wray appeared in Senate Judiciary and promised answers in 2 weeks. We will see.

As a prosecutor, I know those cases where you can't go forward, for a victim, with charges. There could be innumerable reasons, but sometimes you just can't. In those unfortunate cases, it can matter a great deal to the victim that she at least got an honest and thorough investigation of her claim. Dr. Blasey Ford was denied even that. The FBI sacrificed her to the gale-force political pressure applied by the scheme to get this well-auditioned nominee into place.

And let's get real. You don't apply gale-force political pressure for judges who are just going to call balls and strikes. Four hundred million dollars—\$400 million—has been spent in dark money on this Court-capture scheme. For \$400 million, you don't want balls and strikes. You want judges who will throw the game for you. You want what you paid for—a captured Court. And if you look at its track record, that is this Court. It is the Court that dark money built, and it is delivering.

To be continued.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

REMEMBERING JOHN KENNEDY BAILEY

Mr. MANCHIN. Madam President, I rise today to honor the life and legacy of a diligent public servant and proud West Virginian who was recently taken from us far, far too soon. His name was John Kennedy Bailey. Gayle and I extend our deepest condolences to the members of John's beloved family.

I have known John since he was a child. He grew up in Fairmont, my home area, with an absolutely loving family. I have been so proud to watch him grow into such a hard-working, compassionate person who raised his own loving family. My heart aches for his whole family but especially his wife Holly and their children, Jack, Brooks, and Lisette, whose lives have been changed in a tragic instant.

It is in these sorrowful moments that we see how much a person meant to so many. Since we lost him, John's friends have stepped forward with stories of his compassion, his kindness, and of his public service. I know that all of us who are grieving him find comfort that his last measure was giving himself through organ donation, sharing the gift of life for someone who needed it most.

When I think of John, I think of a man who all of us aspire to be—a man who lives life to his fullest, makes the most of every day by giving back to those around him. I think of the words of Dylan Thomas, a Welsh poet, who described such a man as:

Good men, the last wave by, crying how bright  
Their frail deeds might have danced in a green bay,  
Rage, rage against the dying of the light.  
Wild men who caught and sang the sun in flight,  
And learn, too late, they grieved it on its way,  
Do not go gentle into that good night.

John lived every day by catching the Sun in flight, and that is one of the many reasons that so many people loved him. It is my hope that his friends and family have found peace, strength, and support in one another and in the support of our entire home State as we mourn our shared loss of this wonderful, wonderful person. That is why it is befitting that his life is forever memorialized in this CONGRESSIONAL RECORD through this speech on the U.S. Senate floor today.



John represented the very best of West Virginia from a very young age. As a Knight of the Golden Horseshoe in eighth grade, president of his senior class at Fairmont Senior High School, and attendee of the Mountaineer Boys State, he excelled throughout his entire scholastic career—so much so that after graduating from Yale University, he joined Congressman Nick Rahall's staff, helping West Virginians in Washington, DC.

But the call of the mountains was strong for John, and he returned home to attend WVU Law School. While at WVU Law, he clerked on Wall Street but knew his biggest impact would be in his home State, so he found his way to Charleston. John was dedicated to bettering the Charleston community as the owner of his own law firm and while serving as city councilman.

John was dedicated to his community, whether through his recent mission to revive Charleston's recycling program or his brilliant idea to increase the Cardinal Train's service to Charleston that he recently worked on with my office.

John was not only a dedicated public servant but a talented attorney and successful businessman. He will be remembered for his professional abilities, as well as his service to his community. But most importantly, John will be remembered for his commitment to his children and family, spending much of his time at Jack, Brooks, and Lisette's many activities. He was well-known among the staff and parents of Capital-Midwestern Little League, Capital High School, Horace Mann Middle School, and Mountaineer Montessori. He would stop by the community center often just to see how the staff and students were doing.

John was so very kind and always thinking of how he could make his community better, no matter how out of the box his ideas seemed to be. He never met a stranger, and was also such a good friend to myself, my Charleston staff, and all West Virginians.

What is most important is that he lived a full life, surrounded by the people he loved most. I extend my deepest condolences to John's wife, Holly; and their children, Jack, Brooks, and Lisette; his parents, Joyce and former State Treasurer Larrie Bailey; his siblings, Anne and David, and their families; and his many friends and extended family. We will forever keep John and his family in our prayers.

Godspeed, John. We miss you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### BORDER SECURITY

Mr. CORNYN. Madam President, the crisis along our southern border is bad and has been getting worse since Joe Biden became President.

Last month, more than 200,000 migrants crossed our southern border—the second month in a row that we have seen a number that high. Since

President Biden raised his right hand and took the oath of office on January 20, Customs and Border Protection has stopped more than 1.2 million border crossers. That is nearly triple the total number it was at this point in the Obama administration, and more than eight times the number of migrants stopped at this point during the Trump administration.

These numbers have real consequences. Migrants are exploited, abused, raped, and some die on their dangerous trips to our border. Once they arrive, Border Patrol, local law enforcement, and nongovernmental organizations are expected to do a lion's task with a mouse's resources, and the surge of resources to migrants leaves serious security vulnerabilities that are exploited by cartels and criminal organizations.

Even before this current crisis with Haitians, Border Patrol officials have told me, just to deal with unaccompanied children and the number of migrants coming to the border, that as many as 40 percent of the Border Patrol have had to leave the front lines of protecting the border, which means that the drug cartels can simply exploit those gaps in the Border Patrol's security line in order to move illegal drugs into the United States that, last year alone, took the lives of more than 90,000 Americans by overdose.

As though things weren't challenging enough already, the city of Del Rio, with a population of 35,000 people, has been flooded by a group of nearly 15,000 migrants. Can you imagine? A city of 35,000 sees this huge human tsunami of 15,000 migrants almost exclusively from Haiti.

By the way, this ought to demonstrate that this is not just a regional phenomenon. I know the Vice President went down to Central America and said that she talked to the Presidents of the Central American countries, of the Triangle countries, and said: Please don't send your people to the United States.

Meanwhile, the green light was on at the border as a result of the refusal to enforce the basic security laws that were put in place by the previous administration. In fact, it looks like the guiding principle of the Biden administration was, whatever the previous administration did, we are going to undo it.

They forgot to put an alternative plan in place, and so the people keep coming—1.2 million migrants, just so far, since the Biden administration began. Well, migrants have now set up a camp under the International Bridge in Del Rio, in 100-degree temperatures. And they have been so brazen that they literally have gone back and forth across the river to Mexico to purchase supplies—food, water, or whatever. They have been able to go back and forth virtually at will.

Border Patrol and State and local officials have been working around the clock to ease the humanitarian crisis

that President Biden and his policies created, and they are being overwhelmed.

As I said, Del Rio isn't a huge city with unlimited resources. It is, roughly, 2½ times the size of the migrant group, and like other border communities, the city has experienced a one-two punch in the last year and a half because of COVID-19. First came the pandemic and a full range of new expenses. Then the strain was compounded by the restrictions on so-called nonessential cross-border travel, which has been in place for a year and a half.

Pre-pandemic folks from Mexico, if they had the proper paperwork, would travel across the border to shop, to eat, and to visit family members, and they were huge economic drivers of our border communities.

The Federal Reserve Bank of Dallas estimated that, prior to these restrictions, between 40 to 45 percent of all retail activity in Laredo, for example, was attributable to Mexican nationals. That has dried up completely.

Leaders in Texas, like the ones I met with in Brownsville last week, are struggling to understand the contradiction between the Biden administration's two different approaches. On the one hand, the administration is saying it is too dangerous for Mexican nationals to visit families in Texas or to shop in our stores because of the virus; but on the other hand, the administration is allowing 1.2 million migrants to cross our borders—untested, unvaccinated, most of whom are simply waved on through into the interior of the United States and told to appear at a future court hearing, which most of them will never show up for.

We simply don't know what kind of risks these untested, unvaccinated migrants who are being waved into the interior of the United States could pose to communities in Texas or across the country.

Just last week, the Department of Homeland Security Office of Inspector General found that, without stronger COVID-19 testing measures in place, the Department is putting everyone—migrants, Border Patrol agents, Customs agents, and the local communities along the border—at greater risk.

Still, the Biden administration has refused to take any sort of serious action that would stop the flood of humanity coming across our border. Yes, they have paid lip service. They have said: Don't come.

Meanwhile, the migrants are on the phone, talking to family in the United States, or they are simply watching American TV as the flood of humanity continues to come across the border without there being any real consequences.

On Friday, the current surge of primarily Haitian migrants became so overwhelming that the Biden administration closed a legal port of entry in Del Rio, as well as interior checkpoints.



For those of our colleagues who have actually been to the border, they know that Customs and Border Protection checks people as they enter the country at the border, but there are also interior checkpoints because we know many people aren't identified until they are found in an 18-wheeler trailer or embedded in some sort of hiding place or when the drugs that people are trying to smuggle into the United States are found often at the interior checkpoints.

Because of the flood of humanity coming across the border because the Border Patrol at Del Rio was so overwhelmed, 400 Border Patrol agents were reassigned from other places, including interior checkpoints, to come help deal with the masses. That created a huge vulnerability for the drug smugglers and human smugglers. So-called nonessential travel was already shut down, but the administration bungled the entire situation so badly that they had to shut down essential trade and travel as well.

Last Friday, I spoke with Border Patrol Deputy Chief Manny Padilla—somebody I have known for years and who used to be the chief of the Rio Grande Valley's sector of the Border Patrol. He told me that the main focus at the time, of course, was trying to deal with the humanitarian crisis of getting food, water, and sanitation to these individuals. Once the most urgent humanitarian needs are met, the processing and potential removal of migrants will move more quickly.

So far, a few thousand migrants have been moved to other Border Patrol sectors for processing. Again, because Del Rio's sector was overwhelmed, they had to bus them as far away as Arizona just to process people through the border. Some have already been returned to Haiti, and in the coming days, we can expect more flights to move some of the thousands of migrants back home.

The Department of Homeland Security has claimed that they will use title 42, a public health authority, to expel the vast majority of migrants. But the administration needs to be honest with us.

Will they use this title 42 authority—again, to protect the public health—to expel migrant families, too, and not just single adults? If not, will the Department use the expedited removal authority to swiftly remove these migrant families and, in doing so, deter others from coming? Or will they essentially continue to wave people through, encouraging even more migrants to make their way to the border? And will these migrants that they do have remain in custody until a removal decision is rendered?

We know that catch and release simply doesn't work. It can be exploited to the point where people know that, if we don't detain them, we will give them this notice to appear—sometimes called, in Spanish, a *permiso*—and they will be sent into the interior of the

United States, many of whom are never heard from again.

The Department of Homeland Security and the administration need to back up their proposed plans of dealing with this crisis—and their public statements—with real and immediate consequences to cut off the flow and deter future immigration.

There is a clear and urgent need for Congress to take action, and contrary to what our Democratic colleagues believe, blanket amnesty is not the answer. That will serve as an additional magnet for illegal immigration.

Rather than address the crisis at hand, our Democratic colleagues have spent the bulk of this year figuring out how to bend the rules of the Senate to grant citizenship to millions of people who have entered this country illegally.

Their plan would have provided legal status to people who entered the country as recently as this year, as long as they would have been 18 years or younger when they had arrived. It would have turned our ag sector on its head by legalizing unlawfully present farmworkers with absolutely no provisions to ensure that our agriculture producers would have access to a stable workforce. And it would have legalized millions of people with temporary protected status without even addressing the fact that this temporary program has been in existence for three decades.

There is a reason that Senate Democrats tried to pass a partisan bill by using the arcane budget procedures instead of the normal legislative process. These policies do nothing to alleviate the crisis that has existed on the border since Joe Biden became President. They fail to address the underlying reason people are unlawfully present and living in the shadows in the first place, and they literally reward illegal immigration. It is unfair to those immigrants who follow our laws and wait patiently in line.

Yesterday, the Senate Parliamentarian confirmed what we already suspected, and that is that our Democratic colleagues will not be able to use budget procedures to grant citizenship to millions of undocumented immigrants in a purely partisan budget reconciliation bill. Our Democratic colleagues have said they have a plan B, and while I haven't seen any details about what that might entail, I seriously doubt it will succeed. I hope our colleagues will respect the decision made by the neutral, unbiased guidance of the Parliamentarian and avoid nuking the rules of the Senate to achieve a partisan political goal.

In the meantime, there is a clear and urgent crisis on our southern border, and President Biden has proven that he is either unwilling or incapable of addressing it.

But Congress also has a duty to take action that can only be done in a bipartisan way. It is not too late for our friends across the aisle to abandon their partisan amnesty plan and work

with us on this side to address the actual crisis at hand.

And I have a suggestion about where we can start. Last April, Senator SINEMA, the senior Senator from Arizona, and I introduced the Bipartisan Border Solutions Act to address this unfettered flow of immigration.

I have been proud to also work—we have both been proud to work with two friends and colleagues in the House—Congressman HENRY CUELLAR, a Democrat, and TONY GONZALES, a Republican. So it is literally a bipartisan and bicameral piece of legislation.

Perhaps it is because the four of us live in and represent border States, we have spent time listening and learning from the men and women who safeguard our border and those who care for migrants and those who live in these border communities that are disproportionately impacted.

There are a lot of people who talk about what has happened at the border who have never even been there. They inaccurately characterize border communities as unsafe and lawless. They villainize the Border Patrol and other law enforcement agencies for actually enforcing the laws that Congress has passed. And they propose blanket solutions to the complex challenges that exist, which would do far more harm than good.

The fact is, the border is a beautiful, safe, and vibrant region. The men and women who lead and protect these communities are doing everything in their power to fairly and humanely respond to the crisis, but they are simply being overwhelmed and asked to do something that is the Federal Government's responsibility.

That is why our legislation is important. It would streamline the processing of migrants in regional processing centers that would provide new protections for unaccompanied children, one-third of whom have been lost—lost—because they have been placed with sponsors, and when the Federal Government tries to follow up and find out how they are doing, a third of them never respond, and they are lost to the system.

Our bill would also expedite legal proceedings and ensure that we have enough immigration judge teams, asylum officers, and staff to do things the right way. A number of groups have endorsed the bill, not partisan groups, and it constitutes a simple starting point that Democrats and Republicans should be able to agree on.

Democrats cannot continue to turn a blind eye to the humanitarian crisis on our southern border. To borrow a phrase from a sign held by one Del Rio resident last week: "No more optics. We want action."

THE PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, first, I thank Senator CORNYN for his remarks, particularly the points he made about the ruling of the Parliamentarian. I come to the floor to address the same issue.

We received last night guidance from the Senate Parliamentarians regarding the unprecedented attempt to include wide-ranging immigration provisions in the upcoming reconciliation bill.

Now, for the public at large, when they hear the word “reconciliation,” it is a process by which you don’t have to have 60 votes in the U.S. Senate to get to finality on a bill. But reconciliation is something that has been used only twice, I believe, in the last 5 years. So it is not something that you just willy-nilly go to to get a lot of things done that you couldn’t otherwise get done. But this looks like what the Democrat majority is trying to do in the reconciliation bill with the issue of immigration, and so I am thankful for the decision made by the Parliamentarian.

That guidance by the Parliamentarian indicated that a proposal to legalize millions of undocumented immigrants is not appropriate for inclusion in a budget reconciliation bill.

As ranking member of the Senate Judiciary Committee, my office was deeply involved in the bipartisan discussions that took place with the Parliamentarian on this issue. I will say that I agree with the Parliamentarian’s guidance. I think it reflects an obvious truth—changing the law to legalize millions of undocumented immigrants is a major policy change with significant impact that reaches far beyond the Federal budget and not appropriate for reconciliation.

More broadly, reform of our immigration laws is an important public policy issue. It is a topic that many Americans and many Members of Congress on both sides of the aisle care deeply about. It is an issue that inspires fierce debate, sharp disagreements, and great passion in people on both sides of the argument. It does so because, at its core, the issue of immigration is about the policies that we put in place to give people from all around the world one of the most meaningful and precious gifts that we can give—the right to legally establish your life here and, in many cases, pursue American citizenship. And whether you pursue citizenship or not, you have the right to the American dream.

And you can see how important that coming to the United States is by just the hundreds of thousands of people so far this year breaking our laws to come into this country. It shows you how exceptional our great America is and the economic and the political and the social system we have that is so endeared to people all over the world that they want to come here, even breaking our laws to get here.

And, of course, whether it is citizenship or the American dream, that is not something that can be boiled down to a Congressional Budget Office score. It is not something that can be reduced to a line item in the Federal budget. I think everyone here in Congress and Americans around the country already knew that.

That is what made this most recent attempt to abuse the reconciliation

process by the Democratic leadership even more obvious.

As ranking member of the Senate Judiciary Committee, I look forward to continue working with my colleagues on measures to secure the border and improve our immigration system, but those measures need to be pursued in a way that complies with the rules of the Senate, not the subterfuge of what we call reconciliation.

The recent proposal put forward by Democrats in the Senate clearly was not, and I hope we can engage in a more productive legislative process moving forward on the subject of immigration.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

#### BUDGET RECONCILIATION

Mr. TUBERVILLE. Madam President, our country is facing several crises as we speak. We are facing a border crisis with recordbreaking numbers of illegal immigrants pouring into our country daily, weekly, and monthly. We are facing a political and humanitarian crisis in the aftermath of a chaotic withdrawal from Afghanistan resulting from a fatally flawed political decision.

And we are still facing a public health crisis with the resurgence of COVID putting a strain on our healthcare system and our entire economy.

And despite the finger-pointing that President Biden has tried to do, we are seeing the real impact of his failed policies.

Every one of these crises, from the border to Afghanistan, to COVID, require our attention immediately. But you haven’t heard much more than a peep from our colleagues on the left.

Instead, they are focused on jamming through a \$3.5 trillion spending bill. You know, even if you spent \$5 million per day, every single day of the year, it would still take almost 2,000 years to spend \$3.5 trillion. Think about that. Five million a day, 365 days a year, would take 2,000 years to spend \$3.5 trillion.

So they are either completely tone deaf on the left or they are playing a game of hide the ball in an attempt to divert attention from these very real problems that are facing our country today.

You might find yourself asking, rightfully so: How will this package help the crisis our Nation is facing now, today? Will it help secure the border? Will it bring home Americans who were abandoned in Afghanistan? Will it encourage folks to talk to their doctor about getting the vaccine?

The answer across the board is a definite no. This reckless tax-and-spending spree will not do any of the above things.

What it will do is add to inflation, which is already at the highest point dating back to at least 2010.

With recordbreaking inflation and American families feeling the squeeze,

it is long past time for Congress to pass some fiscal restraint. American families across this country have to. They have to have restraint, so why wouldn’t we have to have it?

But the real kicker, as if spending \$3.5 trillion is not enough, is what they want to spend it on. If you think the pricetag is shocking, wait until you hear what programs are going to be funded with your taxpayer dollars.

Tucked into this legislation is a laundry list of progressive initiatives to expand Medicare, fund climate programs, and provide universal preschool and free college, all while inflation is going sky high.

With this bill, Democrats are painting a vision—their vision for what they think America should be, not what it is, and that is a socialist, welfare state with handout programs from cradle to grave, with not one work incentive included.

And remember, this bill only needs 50 votes, and because of that, they are trying to tack on everything that they know can’t pass at a 60-vote threshold. That includes the illegal immigrants, which we have talked about. They were actually considering this in the middle of a border crisis, which is as illogical as it is radical. It shows you just how radical this thing is—so radical that they tried to stick a policy provision into a budget bill, which, thank goodness, got struck down this weekend.

The Democrats are also adding in parts of this disastrous PRO Act, including a provision to overturn 85 years of precedent enabling lawsuits from civil penalties. This would allow unions to bleed businesses dry. It would cause many companies to close up shop and move operations overseas.

It is truly the kitchen-sink approach to try to bypass any Republican weight in on these important issues on behalf of the America that we all represent.

And if you think these policies are bad, the taxes are worse. Democrats are looking at a litany of taxes to throw at Americans to cover some of the costs of the far-left agenda.

Top on the list is an increase in the corporate tax rate from 21 percent to 26.5 percent. That is higher than communist China’s corporate tax—higher than China’s. President Trump’s signature Tax Cuts and Jobs Act lowered this rate. As a result, we saw a surge of corporations returning to American shores, and over \$1 trillion flowed back into the country after lowering this rate. A reversal of President Trump’s pro-business tax policy will directly hit American businesses—the heart of this country. That is simply something we can’t afford.

Family farms—they are going to come under assault like everybody else with the increase of the capital gains tax and death tax. To make matters worse for farmers, our Democratic colleagues want to increase taxes on family farms at the time of inheritance by doing away with the longstanding step-up in basis rule.

For every family across Alabama, this tax bill would mean an average tax increase of over \$500. More taxes mean paychecks don't go as far. More taxes mean small businesses will struggle to afford to keep employees on the payroll. And more taxes mean less economic freedom.

Finally, the Democrats want to increase the power of the IRS—we are all fired up about that—by requiring financial institutions to report any and all financial transactions of \$600 or more made by their customers. Presently, it is \$10,000. They want to drop it down to \$600. They want the IRS to be able to keep tabs on how you are spending the money that you earn—not somebody else, the money that you earn.

This means that every check you write, every bill you pay, every Venmo you send, and every stock purchase you make over \$600 will be reported to the IRS.

Why do they need this information? They don't even effectively use the data they collect now. It is going to put businesses, banks in a huge bind. Turning this information over to the IRS will only give the government more ability to go after taxpayers whose politics they don't like.

Remember Lois Lerner—Lois Lerner from the Obama administration. The IRS has a long history of unequal enforcement. Earlier this summer, for example, they denied tax-exempt status to a Texas charity because, according to the IRS, the organization's commitment to the Christian faith tied it too closely to the Republican Party. That is disgraceful.

Requiring financial institutions to report this data to the IRS would put a huge burden on the community banks and credit unions. Some of the smallest institutions will be forced to close their doors because the cost to comply will be too high. We can't allow that to happen. These businesses are the backbone of Main Street America and play a key role in getting capital into the hands of middle-class Americans.

This policy would also disproportionately hurt minority communities and folks living in rural areas, many of whom are already distrustful of Big Government and would be pushed out of the banking system. Democrats say they want to help these folks get financial services, but this policy would do exactly the opposite.

Our colleagues on the left want to spend to no end, and the American people are sounding the alarm. In a recent poll, 80 percent of Americans directly point to the economic policies of this administration for their financial hardships and the rising prices of everyday goods and services.

When asked about the concerns of rising prices at the grocery store as a result of this administration's poor economic policies, an administration official said: If you take out beef, pork, and poultry, the rising prices are normal.

Well, proteins like beef and poultry make up 63 percent of grocery items purchased—63 percent. So when prices rise as they are now, it directly impacts American families. There is nothing normal about that. It is unacceptable.

But it is not only the price of groceries that are rapidly rising. According to the National Retail Federation, back-to-school spending is expected to increase more than \$3 billion from 2020, just in 1 year, with the average household spending upward of \$800 on school supplies.

Rapidly rising prices translate to a tax on the American consumer. There is no other way to put it. Inflation is a tax, one that is already weighing heavily on the shoulders of all American families.

Don't just take my word for how bad this bill is. Even some of their own party have come out against it, asking Congress to take a strategic pause on spending billions upon billions of taxpayer dollars.

We are not even through the year yet, but this out-of-control spending will amount to at least \$6.5 trillion before the year is over. You heard me right—\$6.5 trillion. To put it another way, that equates to more than \$50,000 for every household across the country, costing more than ObamaCare and World War II combined.

Considering that there is not an initiative in this bill that would address any of the crises facing our Nation today, it begs the question: Why are the Democrats in such a hurry to spend so much?

You know, the Federal Government cannot keep writing blank checks and expect future generations to pay the bill. It can't happen. This is real money we are talking about. This is not Monopoly money. The Federal Government cannot keep turning a blind eye to legitimate crises facing our country in order to hastily enact a partisan agenda.

It was then-Vice President Joe Biden who said: "Show me your budget, and I'll tell you what you value."

I would encourage the President to heed his own remarks, because this reckless tax-and-spend policy is exactly the opposite of what Americans want, need, and value.

#### FEDERAL RETIREMENT THRIFT INVESTMENT BOARD NOMINEES

Madam President, on another note, I rise to request that the nominations submitted by the President on September 13 to be members of the Federal Retirement Thrift Investment Board be referred to the Committee on Homeland Security and Governmental Affairs for a hearing.

This board has the important task of administering the Thrift Savings Plan, better known as TSP, which is the retirement investment plan utilized by 6 million members of our Federal workforce, including our Nation's Armed Forces. The members of this Board make decisions impacting the retire-

ment savings of millions of Americans. This is a huge responsibility.

Recognizing that responsibility, the Trump administration rightfully put in place a ban on TSP investment in Chinese companies, but that ban is no longer in force, exposing these Americans to significant economic risk and undermining U.S. national security interests.

Because Congress has given the Board oversight of retirement investment of millions of Americans and because the previous China investment plan is no longer in place, Congress has a duty to thoroughly vet these nominees.

Our adversaries are trying to do everything possible to get a leg up on the United States. Because we are the greatest country on the face of the Earth, investments in companies with Chinese Communist Party ties are a direct threat to our national security. Such investments funnel capital to companies that commonly violate U.S. sanction laws and that are actively working to facilitate China's military expansion and the persecution of religious minorities. Chinese companies are notorious for their deep ties to the Chinese Communist Party and for their support of government, surveillance, and espionage activities.

But Chinese companies also have a long history of costing investors billions in losses by manipulating financial reporting statements and failing to comply with basic audit standards in an effort to artificially inflate their success. The Luckin Coffee incident is just one of the first that comes to mind. Fraudulent practices like these put the retirement savings of Americans in jeopardy.

This is exactly why, earlier this year, I introduced legislation to prohibit Thrift Savings Plan funds from being invested in Chinese companies—to protect the retirement savings of our Federal civilian workforce and our Armed Forces.

Protecting these Americans' investments and our country's national security is a serious issue requiring serious consideration. If confirmed, President Biden's nominees to the Federal Retirement Thrift Investment Board would be the gatekeepers, and Congress has a responsibility to thoroughly vet them.

I hope that my colleagues on the Homeland Security Committee will question each nominee on their position on TSP investment in China. Our Nation's military and civilian public servants have a right to know the nominees' views on this issue since the preservation of their retirement savings hangs in the balance.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, I ask that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the clerk will report the Rossman nomination.

The legislative clerk read the nomination of Veronica S. Rossman, of Colorado, to be United States Circuit Judge for the Tenth Circuit.

#### VOTE ON ROSSMAN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Rossman nomination?

Mr. CARDIN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Massachusetts (Mr. MARKEY) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Louisiana (Mr. CASSIDY), the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), the Senator from South Dakota (Mr. ROUNDS), and the Senator from Alaska (Mr. SULLIVAN).

The result was announced—yeas 50, nays 42, as follows:

[Rollcall Vote No. 366 Ex.]

#### YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Collins	Menendez	Tester
Coons	Merkley	Van Hollen
Cortez Masto	Murkowski	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

#### NAYS—42

Barrasso	Grassley	Portman
Blunt	Hagerty	Risch
Boozman	Hawley	Romney
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Paul	Young

#### NOT VOTING—8

Blackburn	Graham	Rounds
Cassidy	Inhofe	Sullivan
Feinstein	Markey	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Oregon.

Mr. WYDEN. I ask unanimous consent that the motion to reconsider be

considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Oregon.

#### TRIBUTE TO JAKE OKEN-BERG

Mr. WYDEN. Mr. President, I come to the floor today to bid farewell to an individual who has not only served as a longtime staff member but a highly respected member of our close-knit team, Jake Oken-Berg. Serving for the last 10 years as my business liaison, Jake has been my ambassador to Oregon's business community and its leaders. Frankly, when you consider some of my positions, Jake has undoubtedly developed the diplomatic skills necessary to actually be an ambassador.

Jake has always approached his work with enthusiasm and a positive attitude, with steadfast determination to help me build and maintain critical partnerships with the business community throughout the State and to provide their feedback on how we can write better legislation.

His creative pursuit of my partnership with the business community was on full display when he organized our office's "Made in Oregon" manufacturing tour. That tour comprised many trips across the State over several years, with business leaders, owners, and managers. Some of the most interesting gatherings I have ever been at were part of that "Made in Oregon" tour. It highlighted the contributions that Oregon's businesses, manufacturers, and workers are making to our State and to the country, and it shined a light on policies that are needed to ensure American companies and American workers stay competitive in the 21st century.

Over the past decade, Jake has helped develop policies and strategies relevant to many sectors of Oregon's growing economy.

One such strategy has been to make Oregon a global leader in mass timber, including the production of cross-laminated timber and mass plywood and the research on charring and stress loads necessary to rewrite building codes.

Another strategy has been to make Oregon a national leader in the production of hemp for CBD, building on Oregon's legal cannabis industry.

Yet another strategy has been building up Oregon's sustainable energy industry, accelerating the development of wind and solar and wave energy and supporting measures to increase the efficiency of the manufacturing process to use less energy.

It is pretty staggering to think of all the balls Jake had to juggle at the same time over those 10 years, but he did it, and he did it making it look easy.

Our team and our State saw the fruits of Jake's decade of partnership pay off over this last year and a half as businesses throughout Oregon faced extremely difficult, dark days amid the pandemic and the economic recession.

As businesses ground to a halt and workers quarantined at home, owners and managers were grappling with issues of how to continue to pay employees or whether they had to let them go, paying rents and leases, paying subcontractors and suppliers under the threat of going out of business.

So many owners and managers reached out to my office seeking assistance to access the economic injury disaster loans and the Paycheck Protection Program to keep their businesses and their employees afloat. Jake coordinated our response, communicating not only with the business leaders but with the local elected officials and the leaders of our business chambers. He produced guidance. He organized roundtables. He led discussions. He served as a hotline for every question. He helped owners figure out how to address unique challenges as they arose.

When business owners were getting turned away from their own banks, for instance, Jake took the lead in developing alternative approaches so they could get the help they needed. And when specific sectors, like the live entertainment sector, which is such a staple of life and culture in our State of Oregon, was left out of the list of businesses that could receive emergency aid, Jake made it his business to get that changed. I can't even begin to guess how many Oregon businesses and workers were able to weather those dark and difficult days because of Jake's all-out efforts.

I suspect that if he was here right now and we asked him what, after a decade of service, his greatest accomplishment has been, he would say it was simply to help make Oregon a better place for businesses and for workers, and then he might pause and, being the huge soccer fan that he is, say that a high point was when he made a connection so that I could spend a day with the owner of our Portland Timbers.

So, Jake, thank you for giving so much to the team and to the people of Oregon over these last 10 years. It goes without saying that it is going to be a monumental undertaking trying to fill your shoes, and you are going to be missed by every member of our team. We wish you the best. We look forward to continuing to follow the great things that you will do in your next chapter for our State and for the country. We know that in whatever form it takes, you will never stop working to build a better world.

Well done, Jake Oken-Berg, and thank you.

The PRESIDING OFFICER. The Senator from Iowa.

#### UNANIMOUS CONSENT REQUEST—S. 535

Ms. ERNST. Mr. President, we recently marked the 20th anniversary of September 11, a day that forever changed our Nation. This direct assault on our country sparked the Global War on Terrorism, a war that came at great personal cost to our men and women serving in the Armed Forces.

As a combat veteran, as the mother of a future soldier, even simply as an American, the events in Afghanistan have been extremely disheartening to watch. I have heard from so many veterans and servicemembers who served during this war, many of whom are distraught and disappointed at the haphazard way the war in Afghanistan came to a close. I have also heard from too many Gold Star families who lost so much during this conflict—their spouses, their fathers, their mothers, brothers, sisters, sons, and daughters.

Recent events have left them questioning themselves and whether their family member's sacrifice was worth it.

While we can't put the genie back in the bottle when it comes to what happened in Afghanistan last month, we can properly memorialize the service of the brave men and women who fought and died to protect and defend the United States since the beginning of the Global War on Terror.

I stand before you today to ask that the Senate join with me in honoring our Global War on Terrorism veterans and the sacrifices they made by supporting and passing my bipartisan bill, the Global War on Terrorism Memorial Location Act.

In August of 2017, Congress passed and President Trump signed into law our bill authorizing the creation of a memorial commemorating the sacrifices of all those wonderful Americans who fought in the Global War on Terrorism.

This memorial will be 100 percent privately funded and will not use a single dime of taxpayer money. Most importantly, it will pay tribute to our fallen servicemembers across the country, including the 13 who perished in Afghanistan on August 26. Among the 13 was Iowa native, Cpl Daegan William-Tyler Page, who bravely gave the greatest sacrifice of all.

This memorial is going to be built. It has already become law. It is ready to go. So let's get it built on the National Mall in Washington, DC, where it belongs. It is the least we in Congress can do for the men and women who have given so much.

We have the opportunity to unite around a common cause, while providing a central location for our many veterans and their families affected by the Global War on Terror to reunite and reflect on their loved ones' sacrifices.

This isn't a partisan idea. Earlier this month, the six surviving Secretaries of Defense, spanning Democratic and Republican administrations—Robert Gates, Leon Panetta, Chuck Hagel, Ash Carter, Jim Mattis, and Mark Esper—they all wrote an op-ed in the Washington Post in support of placing the Global War on Terror Memorial on our National Mall.

While nothing will ever restore the lives that we have lost, this memorial would serve as a tribute to those brave men and women and their loved ones

who have sacrificed in defense of our freedom.

For more than 20 years, I had the privilege of serving my State and country in uniform. As a veteran of the Global War on Terror, I know firsthand the sacrifices the millions of brave men and women of our Armed Forces made in this fight against radical extremists.

Like many others, I have risen my right hand and taken that oath voluntarily and without reservation. That is why the effort to build this memorial in its rightful place is a personal one, not just to me but to every servicemember, veteran, surviving family member, and civilian who has been impacted by this fight.

This national memorial will provide all Americans a permanent place of reflection in the heart of our Nation's Capital. It will serve as a permanent commitment to the mothers and fathers, husbands and wives, and children who lost their whole world that this country is forever grateful and in their debt. It will serve as a place of healing for the thousands of veterans still carrying the wounds of war, both seen and unseen.

The National Mall is currently home to the memorials honoring World War II, the Korean war, and the Vietnam war. How could we put the memorial for our Nation's longest war anywhere else?

Mr. President, as in legislative session, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of S. 535 and the Senate proceed to its immediate consideration. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. MANCHIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, 4 years ago, I was proud to join Senator ERNST in sponsoring legislation to authorize construction on the National Global War on Terrorism Memorial to commemorate and honor the members of the Armed Forces' Global War on Terror.

That bill passed the House and Senate on a voice vote and was signed into law August 2017.

A memorial honoring the men and women of the Armed Forces who served our Nation in the Global War on Terror—our country's longest military conflict—is the least that we can do to recognize their service and sacrifice and especially those who gave their lives in the service of our Nation.

In 2017, I said that it was incredibly important to honor these men and women, and it remains incredibly important today. I want the memorial to be built as quickly as possible. In fact, I think it should be the National Park

Service's highest priority for approving new memorials, but it should be built following the same process that applies to all other memorials and commemorative works.

Since 2003, the Commemorative Works Act has prohibited new memorials in an area called the Reserve, which is essentially the National Mall. Since that time, there have been several proposals to waive the prohibition for new memorials or museums in that area on the Mall, including the World War I Memorial and the Desert Storm and Desert Shield Memorial.

Ultimately, these were located in other high-profile areas in compliance with the Commemorative Works Act. This legislation would override this provision in law to allow the Global War on Terrorism Memorial to be sited on the Reserve.

As chairman of the Energy and Natural Resources Committee, I believe this precedent would reopen the fight to locate other memorials on the National Mall and create more controversy that will ultimately delay the construction of this memorial which is much needed.

While I am a strong supporter of the Global War on Terrorism Memorial, this would be creating an exception to the law for one memorial where others have been turned away and doing so without full committee process.

Our Subcommittee on National Parks, which is chaired by Senator KING from Maine, held a hearing on Senator ERNST's bill on June 23. At that hearing, the Department of Interior testified in opposition to S. 535 as currently drafted.

I would respectfully ask my friend Senator ERNST to withdraw her unanimous consent request to discharge her bill from committee and would commit to holding a markup of the bill so we can consider the options, the impact, and a path forward for this most important memorial.

The PRESIDING OFFICER. Does the Senator withdraw her request?

Ms. ERNST. Respectfully, I do not.

Mr. MANCHIN. I respectfully object to the Senator's request but maintain my commitment to working with my friend from Iowa and the families who, rightfully, want to memorialize their loved ones to find a path forward for this important memorial.

The PRESIDING OFFICER. The objection is heard.

The Senator from Iowa.

Ms. ERNST. Mr. President, I will continue on this path. We, again, passed this bill. It was signed into law in 2017, creating the foundation to establish the Global War on Terrorism Memorial. So that was the first step in a process that has now culminated after 4 years of discussion and work. And I am very hopeful that the committee will go through regular process.

I would encourage the chair to move forward on a markup of the bill and a vote on the bill. If we can receive that markup and vote, then I will stop my

live UCs. But until that point, I think it is imperative that we continue pushing for that regular order.

I feel committed, obviously, to those whom I have served with, the others who have served in the Global War on Terror, their families, the affected communities, our Gold Star families, and others.

This is our Nation's longest running war. It is a war that has affected more than just those servicemembers who set foot in the Middle East. My commitment to those families, those communities, and our country is that we will continue to proceed to make sure that this memorial is placed in prominence on our National Mall.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. In response to my friend from Iowa, you have my commitment. We will do this markup and get it scheduled as quickly as we possibly can, and we will work through that. We encourage you to be at the markup, if you would like, and speak on it at that time. We will have the park people there and go through this in a very diligent way and hopefully get a result as soon as possible.

Ms. ERNST. Thank you.

I yield the floor.

Mr. MANCHIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 169.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Lily Lawrence Batchelder, of Massachusetts, to be an Assistant Secretary of the Treasury.

#### CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 169, Lily Lawrence Batchelder, of Massachusetts, to be an Assistant Secretary of the Treasury.

Charles E. Schumer, Ron Wyden, Martin Heinrich, Alex Padilla, Margaret Wood Hassan, Raphael Warnock, Ben Ray Lujan, Gary C. Peters, Elizabeth Warren, Christopher Murphy, Patrick J. Leahy, Tammy Duckworth, Sheldon Whitehouse, Michael F. Bennet, Tim Kaine, Tammy Baldwin, Cory A. Book-er.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 245.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jayme Ray White, of Washington, to be a Deputy United States Trade Representative (Western Hemisphere, Europe, the Middle East, Labor, and Environment), with the rank of Ambassador.

#### CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 245, Jayme Ray White, of Washington, to be a Deputy United States Trade Representative (Western Hemisphere, Europe, the Middle East, Labor, and Environment), with the rank of Ambassador.

Charles E. Schumer, Catherine Cortez Masto, Gary C. Peters, Elizabeth Warren, Kirsten E. Gillibrand, Sheldon Whitehouse, Jeff Merkley, Christopher A. Coons, Patty Murray, Amy Klobuchar, Richard J. Durbin, Richard Blumenthal, Martin Heinrich, Jon Ossoff, Brian Schatz, Debbie Stabenow.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 341.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Florence Y. Pan, of the District of Columbia, to be United States District Judge for the District of Columbia.

#### CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 341, Florence Y. Pan, of the District of Columbia, to be United States District Judge for the District of Columbia.

Charles E. Schumer, Mazie Hirono, Sheldon Whitehouse, Jack Reed, Martin Heinrich, Michael F. Bennet, Jacky Rosen, Richard Blumenthal, Alex Padilla, John Hickenlooper, Kirsten E. Gillibrand, Tina Smith, Tim Kaine, Ben Ray Lujan, Chris Van Hollen, Jeff Merkley.

Mr. SCHUMER. Mr. President, finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, September 20, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MISSED VOTE EXPLANATION

Mr. BRAUN. Mr. President, to honor the heroism of fallen Corporal Humberto Sanchez, I went to pay my solemn respects on September 13 and 14, 2021, and was not present for votes. Corporal Sanchez was killed in the attack on Kabul airport helping Americans and allies evacuate the country.



Corporal Sanchez is an American hero, and his sacrifice will never be forgotten.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO BILL DUTCHER

• Mr. DAINES. Mr. President, I have the honor of recognizing Bill Dutcher, general manager of MetraPark, for his 40 years of service to the Billings community as he prepares to retire at the end of the year.

Before stepping into the role of general manager, Bill served in a variety of other roles from part time work at the fairgrounds, to maintenance, as well as operations management at MetraPark. Not only has Bill met Presidents and rock stars while on the job, but he has also bedded every horse stall and washed more than 10,000 arena seats. No matter what the job is, Bill always brings the same level of enthusiasm to the task at hand.

Though Bill will be missed by more than 150 MetraPark employees, he will not be a stranger once he retires. There are many upcoming events he looks forward to attending, which will be easily accomplished as the Yellowstone County commissioners presented him with a lifetime pass to every future MetraPark event. Bill has truly created a legacy of customer service within this organization that will be remembered for decades to come.

It is my distinct honor to recognize Bill for his 40 years of service to the people of the Billings community. I have no doubt Bill will find new ways to bring people joy as he enters into this new chapter of life and enjoys time with his wife and two children.●

##### TRIBUTE TO HUNTER JONES

• Mr. DAINES. Mr. President, I have the honor of recognizing Hunter Jones of Billings for his many years supporting Montana service members deployed overseas.

Hunter is the grandson of a World War I veteran, and the son of a World War II and Korean War veteran. Though not a veteran himself, Hunter was instilled with a driving passion to honor military servicemembers throughout his life. Hunter made his way to Billings, MT, as an educator in 1995 and quickly began a program with his students at Will James Middle School to recognize and honor Montana servicemembers and veterans.

Following the tragic terrorist attacks that occurred on September 11, 2001, Hunter saw the need to support Montanans deployed overseas in the Global War on Terror. He and his students began sending care packages and letters to the men and women fighting to protect our freedoms. For over 19 years, Hunter has diligently kept this up, and now, close to 30 of his former students have been inspired to military service, including a Navy SEAL and

members of all military branches, who have also received care packages from him. Military servicemembers have recognized Hunter's support by sending him American flags flown in countries where they were deployed, along with letters of appreciation. Hunter proudly displays them in his classroom.

It is my distinct honor to recognize Hunter for over 20 years of supporting Montana military servicemembers and for teaching the Treasure State's youth to honor those who have fought for this great Nation. Hunter's patriotism and love for the men and women of our Armed Forces will live on in the generations of Montanans he has taught at Will James Middle School in Billings, MT.●

##### TRIBUTE TO MARIAM C. NOLAND

• Mr. PETERS. Mr. President, I rise today to honor an accomplished and highly regarded leader of Michigan's philanthropic community, Mariam C. Noland, president of the Community Foundation for Southeast Michigan.

Ms. Noland, a resident of Grosse Pointe Farms, MI, has made an immeasurable impact on southeast Michigan, our State, and the entire country during the past 36 years. It is my privilege to recognize her here today and celebrate her upcoming retirement.

Mariam Noland earned her bachelor of science from Case Western Reserve University in 1969, followed by her master of education from Harvard University. During her time at Harvard, Ms. Noland worked on a research project through the Pittsburgh Foundation, another community foundation. This was her first experience in the foundation field, a field in which she would spend almost her entire distinguished career.

In 1975, Ms. Noland began working as an education policy fellow, secretary, and treasurer at the Cleveland Foundation. It was there, she states, that she truly learned the power of community foundations and the power of change. Six years later, she became vice president of the Saint Paul Foundation of Saint Paul, Minnesota.

In 1984, Joseph L. Hudson, Jr., and other civic leaders started the Community Foundation for Southeast Michigan with a mission to enhance the quality of life for residents of Wayne, Oakland, Macomb, Monroe, Washtenaw, St. Clair, and Livingston Counties. This group of visionaries hired Mariam Noland in 1985 as the foundation's first president, a role in which she has remained to this day.

As a result of Ms. Noland's steadfast leadership and tireless devotion, the Community Foundation for Southeast Michigan has grown over the last four decades into one of the 30 largest community foundations in the country. The organization has awarded more than \$1.2 billion in grants, benefiting countless nonprofits and the individuals and families they serve. This past year alone, during the challenging

COVID-19 pandemic, the Community Foundation provided over \$101 million in grants, its largest annual grant total to date.

Ms. Noland has personally raised hundreds of millions of dollars and has initiated many new and innovative programs. Some of the highlights from her career include the GreenWays Initiative that has built interconnected trails throughout southeast Michigan, as well as the New Economy Initiative, the Nation's largest multi-foundation funded collaborative addressing economic development and opportunity. Additionally, Ms. Noland was also essential to the creation and development of the HOPE Fund, which is one of the largest and most effective funds in the Nation at a community foundation addressing needs of the LGBTQ+ community.

Ms. Noland, a creative and effective problem-solver, is also known for the historic role she played during Detroit's bankruptcy. She influenced 14 foundations to collectively donate more than \$366 million, which, when combined with \$350 million in State funds and \$100 million raised by the Detroit Institute of Arts, provided \$816 million to help protect pensions for city workers while at the same time safeguarding the cultural pieces of the art museum.

Ms. Noland's contributions go well beyond her impressive work at the Community Foundation. She generously gives her time and expertise as a member of the boards of trustees for the Detroit Riverfront Conservancy, the Downtown Detroit Partnership, and the Bipartisan Policy Center in Washington, DC. She also previously served as vice chair of the Henry Ford Health System Board of Directors, as well as chair of the Council of Michigan Foundations Board of Trustees.

Ms. Noland's incredible work has been recognized with numerous prestigious awards and honors. In 2009, she received the Eleanor Josaitis Unsung Hero Award. That same year, the Community Foundation established its own Mariam C. Noland Award in her honor to recognize a local nonprofit leader who exemplifies leadership in his or her organization and the broader nonprofit community.

I cannot understate the impact Mariam C. Noland has had on the people of Michigan. She has created influential philanthropic initiatives, promoted positive changes in our communities, and enhanced the lives of countless Michiganders. She leaves a community foundation that now holds more than \$1.1 billion in "community capital" that will benefit future southeast Michigan residents for decades to come. Moreover, she has created a model for charitable giving and foundation management that is unmatched.

Though her leadership at the Community Foundation for Southeast Michigan will be sorely missed upon her retirement, her legacy will most certainly endure.



For these reasons, I am grateful for this opportunity to recognize her accomplishments and to extend our collective gratitude on behalf of all who have—and who will—benefit from her efforts.●

#### TRIBUTE TO MITCHELL WALDMAN

● Mr. WICKER. Mr. President, it is my honor to recognize Mr. Mitchell Waldman for his long and exceptional record of service on the occasion of his retirement at the end of the month. Mr. Waldman has served our Nation for more than 42 years in various national security roles across the executive and legislative branches of government and in the private sector, providing counsel to Senators, Secretaries, CNOs, and CEOs.

For the past decade, Mr. Waldman has served as executive vice president of Government and Customer Relations for Huntington Ingalls Industries, America's largest military shipbuilding company. At Huntington Ingalls, Mr. Waldman has been responsible for leading the company's engagements with the legislative branch, the executive branch, business and trade associations, and think tanks. Before this appointment, Mr. Waldman served as vice president for business development of advanced programs and technology for Northrop Grumman's aerospace systems sector.

Before joining Northrop Grumman, Mr. Waldman served as national security advisor to my good friend, former U.S. Senator for Mississippi Trent Lott, as well as a national security consultant in the office of the Senate majority leader. Mr. Waldman has held a number of executive positions for the U.S. Navy, including Deputy Assistant Secretary of the Navy (Ships), Director of Cost Engineering and Industrial Analysis for Naval Sea Systems Command, and Deputy Program Manager for Amphibious Warfare Programs.

Mr. Waldman received a bachelor of science in Mechanical Engineering from the University of Florida and a juris doctor from Catholic University of America's Columbus School of Law. He is also a graduate of Yale University's executive management program and the defense systems management college program managers course. He has been honored with the U.S. Navy Distinguished Civilian Service Award, the State of Mississippi Distinguished Civilian Service Award, and the D.C. City Council of Engineering Societies Architect of the Year award.

Mr. Waldman's contributions also extend to his service on the board of directors for the Shipbuilders Council of America, the National Bureau of Asian Research, the Armed Services YMCA, the Naval Aviation Museum Foundation, and the Naval War College Foundation. Additionally, he is a member of the external advisory board for the University of Florida's Department of Mechanical and Aerospace Engineering.

I would like to express a heartfelt "thank you" to Mr. Waldman for a career marked by the utmost devotion to our country. I would also like to wish him good luck as he begins a new phase in life; may the new journey be as fulfilling as his career has been. It is with sincere respect and kindest regards that I wish Mitch Waldman, his wife Debbie, and his daughter Emily: "Fair winds and following seas."●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2765. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1976. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Emamectin benzoate; Pesticide Tolerances" (FRL No. 8671-01-OCSPP) received in the Office of the President of the Senate on September 13, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1977. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Florasulam; Pesticide Tolerances" (FRL No. 8751-01-OCSPP) received in the Office of the President of the Senate on September 13, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1978. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Boscalid; Pesticide Tolerances" (FRL No. 8560-01-OCSPP) received in the Office of the President of the Senate on September 13, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1979. A communication from the Acting Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acequinocyl; Pesticide Tol-

erances" (FRL No. 8763-01-OCSPP) received in the Office of the President of the Senate on September 13, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1980. A communication from the Acting Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Defensin Proteins Derived from Spinach in Citrus Plants; Temporary Exemption from the Requirement of a Tolerance" (FRL No. 8908-01-OCSPP) received in the Office of the President of the Senate on September 13, 2021; to the Committee on Agriculture, Nutrition, and Forestry.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. SMITH (for herself, Mr. ROUNDS, Ms. CORTEZ MASTO, Mrs. GILLIBRAND, Ms. WARREN, Ms. BALDWIN, Mrs. FEINSTEIN, and Mr. WYDEN):

S. 2757. A bill to amend the Indian Self-Determination and Education Assistance Act to allow the Secretary of Agriculture to enter into self-determination contracts with Indian Tribes and Tribal organizations to carry out supplemental nutritional assistance programs; to the Committee on Indian Affairs.

By Mr. BROWN (for himself and Mr. WYDEN):

S. 2758. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on stock buybacks of publicly traded corporations; to the Committee on Finance.

By Mr. SCHATZ (for himself, Ms. ERNST, and Mr. YOUNG):

S. 2759. A bill to restore honor to certain previously discharged members of the Armed Forces; to the Committee on Armed Services.

By Mr. PORTMAN (for himself, Mr. GRASSLEY, Mr. RUBIO, Mr. DAINES, Mr. BRAUN, Mr. CRUZ, Mr. SASSE, and Mr. HOEVEN):

S. 2760. A bill to amend title 31, United States Code, to provide for automatic continuing resolutions; to the Committee on Appropriations.

By Ms. HIRONO:

S. 2761. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to maintain demographic information regarding veterans and publish such information on a website of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. PADILLA (for himself and Ms. KLOBUCHAR):

S. 2762. A bill to amend title III of the Public Health Service Act to direct the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to award grants to eligible entities to carry out construction or modernization projects designed to strengthen and increase capacity within the specialized pediatric health care infrastructure, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself and Mr. PETERS):

S. 2763. A bill to extend the authorization for the MotorCities National Heritage Area in the State of Michigan, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. RUBIO (for himself and Mr. ROMNEY):

S. 2764. A bill to amend title II of the Social Security Act to make available parental leave benefits to parents following the birth or adoption of a child, and for other purposes; to the Committee on Finance.

By Mr. BRAUN:

S. 2765. A bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills; read the first time.

By Mrs. SHAHEEN (for herself, Mr. LUJÁN, Mr. SCHUMER, Mr. BENNET, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CASEY, Ms. CORTEZ MASTO, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. KAINE, Mr. MARKEY, Mr. PADILLA, Mr. REED, Ms. ROSEN, Mr. SANDERS, Ms. SMITH, Mr. TESTER, Mr. VAN HOLLEN, Mr. WHITEHOUSE, and Mr. WYDEN):

S.J. Res. 25. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. STABENOW (for herself, Ms. DUCKWORTH, and Mr. PADILLA):

S. Res. 367. A resolution designating September 2021 as "National Ovarian Cancer Awareness Month"; to the Committee on the Judiciary.

By Mr. KAINE (for himself and Mr. BURR):

S. Res. 368. A resolution designating September 25, 2021, through October 3, 2021, as "Blue Star Welcome Week"; to the Committee on the Judiciary.

By Ms. HASSAN (for herself, Mrs. CAPITO, Mr. CASEY, and Ms. COLLINS):

S. Res. 369. A resolution supporting the designation of September 17, 2021, as "National Concussion Awareness Day"; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. SMITH):

S. Res. 370. A resolution honoring the Minnesotans who competed for Team USA in the 2020 Tokyo Summer Olympic Games; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mr. SMITH):

S. Res. 371. A resolution honoring the Minnesotans competing for Team USA in the 2020 Tokyo Summer Paralympic Games; to the Committee on Commerce, Science, and Transportation.

## ADDITIONAL COSPONSORS

S. 507

At the request of Ms. CORTEZ MASTO, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 507, a bill to increase deployment of electric vehicle charging infrastructure in low-income communities and communities of color, and for other purposes.

S. 535

At the request of Ms. ERNST, the names of the Senator from Michigan (Mr. PETERS), the Senator from Florida (Mr. RUBIO) and the Senator from

North Dakota (Mr. HOEVEN) were added as cosponsors of S. 535, a bill to authorize the location of a memorial on the National Mall to commemorate and honor the members of the Armed Forces that served on active duty in support of the Global War on Terrorism, and for other purposes.

S. 586

At the request of Mrs. CAPITO, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 586, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.

S. 828

At the request of Mr. BARRASSO, the names of the Senator from Georgia (Mr. WARNOCK), the Senator from Arizona (Mr. KELLY), the Senator from Massachusetts (Ms. WARREN) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 828, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 1362

At the request of Mr. GRASSLEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1362, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 1435

At the request of Mr. CORNYN, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 1435, a bill to amend the Federal Trade Commission Act to prohibit product hopping, and for other purposes.

S. 1450

At the request of Mr. BARRASSO, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 1450, a bill to amend title XVIII of the Social Security Act to provide for expanded coverage of services furnished by genetic counselors under part B of the Medicare program, and for other purposes.

S. 1530

At the request of Mr. SANDERS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1530, a bill to amend the Child Nutrition Act of 1966 and the Richard B. Russell National School Lunch Act to make breakfasts and lunches free for all children, and for other purposes.

S. 1532

At the request of Mr. KAINE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1532, a bill to provide a work opportunity tax credit for military spouses and to provide for flexible spending arrangements for childcare services for uniformed services families.

S. 1584

At the request of Mr. SCHATZ, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1584, a bill to create a 2020 Census Federal Advisory Committee on Transparency and Standards.

S. 1636

At the request of Mr. MARSHALL, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 1636, a bill to clarify the treatment of 2 or more employers as joint employers under the National Labor Relations Act and the Fair Labor Standards Act of 1938.

S. 1670

At the request of Ms. ERNST, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1670, a bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable credit for working family caregivers.

S. 1813

At the request of Mr. COONS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1813, a bill to direct the Secretary of Health and Human Services to support research on, and expanded access to, investigational drugs for amyotrophic lateral sclerosis, and for other purposes.

S. 1958

At the request of Mrs. MURRAY, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Illinois (Mr. DURBIN) and the Senator from Connecticut (Mr. MURPHY) were added as cosponsors of S. 1958, a bill to amend the Public Health Service Act to reauthorize the program of payments to teaching health centers that operate graduate medical education programs.

S. 1988

At the request of Mr. MANCHIN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1988, a bill to amend title XVIII of the Social Security Act to protect access to telehealth services under the Medicare program.

S. 2003

At the request of Mr. RUBIO, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 2003, a bill to authorize appropriations for the Department of State for fiscal years 2021 through 2023 to provide assistance to El Salvador, Guatemala, and Honduras through bilateral compacts to increase protection of women and children in their homes and communities and reduce female homicides, domestic violence, and sexual assault.

S. 2011

At the request of Mr. COONS, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Connecticut (Mr. MURPHY), the Senator

from Minnesota (Ms. KLOBUCHAR) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2011, a bill to award a Congressional Gold Medal to honor the contributions of all those whose efforts led to the successful development of life saving vaccines to combat the novel coronavirus.

S. 2065

At the request of Mr. BROWN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2065, a bill to amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes.

S. 2230

At the request of Mr. LUJÁN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 2230, a bill to amend the Internal Revenue Code of 1986 to enhance the carbon oxide sequestration credit.

S. 2256

At the request of Mr. DAINES, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2256, a bill to amend the Internal Revenue Code of 1986 to limit the charitable deduction for certain qualified conservation contributions.

S. 2297

At the request of Mr. RISCH, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2297, a bill to improve global health, and for other purposes.

S. 2372

At the request of Mr. HEINRICH, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2372, a bill to amend the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies, and for other purposes.

S. 2477

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2477, a bill to amend title 18, United States Code, to divert certain parents of minor children, expectant parents, and other caregivers from incarceration and into comprehensive programs providing resources, services, and training to those individuals and their families.

S. 2590

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2590, a bill to designate an Anomalous Health Incidents Interagency Coordinator to coordinate the interagency investigation of, and response to, anomalous health incidents, and for other purposes.

S. 2637

At the request of Mr. LUJÁN, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from New Mexico (Mr. HEINRICH) were added as

cosponsors of S. 2637, a bill to amend the Public Utility Regulatory Policies Act of 1978 to require the consideration of a standard requiring electric utilities to offer community solar programs to ratepayers.

S. 2689

At the request of Mr. BURR, the names of the Senator from California (Mr. PADILLA), the Senator from Florida (Mr. RUBIO) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 2689, a bill to amend title XIX of the Social Security Act to ensure that children in foster care who are placed in a qualified residential treatment program are eligible for Medicaid.

S. 2721

At the request of Mr. CRAPO, the names of the Senator from Kansas (Mr. MORAN), the Senator from Idaho (Mr. RISCH) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2721, a bill to require the Internal Revenue Service to issue a report on the tax gap, to establish a fellowship program within the Internal Revenue Service to recruit mid-career tax professionals to create and participate in an audit task force, and for other purposes.

S. 2727

At the request of Mr. LANKFORD, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 2727, a bill to provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, and establish procedures and consequences in the event of a failure to enact appropriations.

S. 2729

At the request of Mr. WARNOCK, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2729, a bill to direct the Federal Communications Commission to establish a program through which eligible individuals may obtain vouchers for the purchase of connected devices, and for other purposes.

S. 2756

At the request of Mr. DAINES, the names of the Senator from Missouri (Mr. HAWLEY), the Senator from Oregon (Mr. WYDEN), the Senator from Mississippi (Mr. WICKER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Florida (Mr. RUBIO), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Indiana (Mr. BRAUN), the Senator from Arizona (Mr. KELLY), the Senator from South Carolina (Mr. SCOTT), the Senator from Michigan (Mr. PETERS), the Senator from Kansas (Mr. MORAN), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 2756, a bill to posthumously award a Congressional Gold Medal, in commemoration of the service members who perished as a result of the attack

in Afghanistan on August 26, 2021, during the evacuation of citizens of the United States and Afghan allies at Hamid Karzai International Airport, and for other purposes.

S.J. RES. 10

At the request of Mr. KAINE, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S.J. Res. 10, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes.

S. CON. RES. 15

At the request of Ms. ERNST, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Con. Res. 15, a concurrent resolution expressing the sense of Congress that the withdrawal of Armed Forces from Afghanistan does not undermine or diminish the sacrifice, efforts, and accomplishments of the members of the Armed Forces, diplomats, humanitarians, allies, and partners.

S. RES. 334

At the request of Ms. WARREN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 334, a resolution memorializing those impacted by and lost to the COVID-19 virus.

S. RES. 364

At the request of Ms. STABENOW, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. Res. 364, a resolution supporting the designation of September 17, 2021, as "National Physician Suicide Awareness Day" to raise awareness of, and promote a national discussion about, physician suicide and to reduce the stigma of mental health issues.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 367—DESIGNATING SEPTEMBER 2021 AS "NATIONAL OVARIAN CANCER AWARENESS MONTH"

Ms. STABENOW (for herself, Ms. DUCKWORTH, and Mr. PADILLA) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 367

Whereas ovarian cancer is the fifth leading cause of cancer deaths of women in the United States and causes more deaths than any other gynecologic cancer;

Whereas, in the United States, a woman's lifetime risk of being diagnosed with ovarian cancer is approximately 1 in 78;

Whereas, in 2020, the American Cancer Society estimates 21,750 cases of ovarian cancer were newly diagnosed and 13,940 individuals died from the disease in the United States;

Whereas the 5-year survival rate for ovarian cancer is approximately 46.5 percent, and survival rates vary greatly depending on the stage of diagnosis;

Whereas the 5-year survival rate for ovarian cancer is more than 90 percent for individuals diagnosed in early stages;

Whereas, while a mammogram can detect breast cancer and a Pap smear can detect

cervical cancer, there is no reliable early detection test for ovarian cancer;

Whereas, in June 2007, the first national consensus statement on ovarian cancer symptoms was developed to provide consistency in describing symptoms to make it easier for women to learn and remember those symptoms;

Whereas Black women with ovarian cancer are more likely to have late-stage diagnoses, receive lower quality clinical services, and have lower 5-year survival rates than non-Black women;

Whereas women of color, women with low-incomes, and women living in rural areas have more barriers to accessing standard quality of care and are more likely to receive care at a facility that has poorer adherence to treatment guidelines issued by the National Comprehensive Cancer Network;

Whereas too many people remain unaware that the symptoms of ovarian cancer often include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, urinary symptoms, and several other vague symptoms that are often easily confused with other diseases;

Whereas improved awareness of the symptoms of ovarian cancer by the public and health care providers can lead to a quicker diagnosis and improved outcomes;

Whereas the lack of an early detection test for ovarian cancer, combined with its vague symptoms, means that approximately 80 percent of cases of ovarian cancer are detected at an advanced stage;

Whereas issues collecting and reporting data related to ovarian cancer risk, treatment, and outcomes are particularly pronounced—especially for underserved communities and marginalized populations—and impede the development of effective policy;

Whereas all women are at risk for ovarian cancer, but approximately 20 percent of women who are diagnosed with ovarian cancer have a hereditary predisposition to ovarian cancer, which places them at even higher risk;

Whereas scientists and physicians have uncovered changes in the BRCA genes that some women inherit from their parents, which may make those women 30 times more likely to develop ovarian cancer;

Whereas the family history of a woman has been found to play an important role in accurately assessing a woman's risk of developing ovarian cancer, and medical experts believe that family history should be taken into consideration during the annual well-woman visit of any woman;

Whereas women who know that they are at high risk of ovarian cancer may undertake prophylactic measures to help reduce the risk of developing the disease;

Whereas guidelines issued by the National Comprehensive Cancer Network and Society of Gynecologic Oncology recommend that all individuals diagnosed with ovarian cancer receive genetic counseling and genetic testing, regardless of their family history;

Whereas studies consistently show that compliance with those guidelines is alarmingly low, with recently published research funded by the National Cancer Institute finding that in 2013 and 2014, only 1/3 of ovarian cancer survivors have undergone such testing;

Whereas, according to a 2016 consensus report by the National Academy of Medicine, “there remain surprising gaps in the fundamental knowledge about and understanding of ovarian cancer” across all aspects of the disease;

Whereas ongoing investments in research, education, and awareness efforts relating to ovarian cancer are critical to closing those

gaps and improving survivorship for women with ovarian cancer;

Whereas, each year during the month of September, Ovarian Cancer Research Alliance and its community partners hold a number of events to increase public awareness of ovarian cancer and its symptoms; and

Whereas September 2021 should be designated as “National Ovarian Cancer Awareness Month” to increase public awareness of ovarian cancer: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2021 as “National Ovarian Cancer Awareness Month”; and

(2) supports the goals and ideals of National Ovarian Cancer Awareness Month.

#### SENATE RESOLUTION 368—DESIGNATING SEPTEMBER 25, 2021, THROUGH OCTOBER 3, 2021, AS “BLUE STAR WELCOME WEEK”

Mr. Kaine (for himself and Mr. Burr) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 368

Whereas Blue Star Families seeks to empower military families by connecting them with their neighbors, both individuals and organizations, to create vibrant communities of mutual support;

Whereas Blue Star Families annually designates the week beginning the last Saturday in September and concluding 9 days thereafter as “Blue Star Welcome Week”;

Whereas, during Blue Star Welcome Week, the Senate recognizes the 600,000 active duty and transitioning military families who move to new communities each year;

Whereas nearly half of these permanent change of station (PCS) moves occur during the summer;

Whereas only 27 percent of military family respondents to the 2020 Military Family Lifestyle Survey published by Blue Star Families reported that they feel a sense of belonging to their local civilian community; and

Whereas a sense of belonging is essential to the well-being and readiness of military families: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 25, 2021, through October 3, 2021, as “Blue Star Welcome Week”;

(2) expresses gratitude for the sacrifices made by service members, transitioning veterans, and their families;

(3) commits to ensuring that military-connected families feel a strong sense of belonging to their local civilian communities; and

(4) encourages civilians across the United States to welcome military-connected families into their communities.

#### SENATE RESOLUTION 369—SUPPORTING THE DESIGNATION OF SEPTEMBER 17, 2021, AS “NATIONAL CONCUSSION AWARENESS DAY”

Ms. HASSAN (for herself, Mrs. CAPITO, Mr. CASEY, and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 369

Whereas mild traumatic brain injury, otherwise known as a “concussion”, is an important health concern for children, teens, and adults;

Whereas, according to information from the Centers for Disease Control and Prevention—

(1) there are as many as 1,600,000 to 3,800,000 sports-related concussions annually;

(2) as many as 5,300,000 individuals live with a disability because of a traumatic brain injury;

(3) between 2010 and 2016, an estimated 2,000,000 children under age 18 visited an emergency department because of a traumatic brain injury sustained during sports- or recreation-related activities;

(4) an estimated 283,000 children seek care in United States emergency departments each year for a sports- or recreation-related traumatic brain injury, with traumatic brain injuries sustained in contact sports accounting for approximately 45 percent of these visits; and

(5) research suggests that many children with a traumatic brain injury do not seek care in emergency departments or do not seek care at all, resulting in a significant underestimate of prevalence;

Whereas the seriousness of concussions should not be minimized in athletics, and return-to-play and return-to-learn protocols can help ensure recovery;

Whereas concussions can affect physical, mental, and social health, and a greater awareness and understanding of proper diagnosis and management of concussions is critical to improved outcomes; and

Whereas the Senate can raise awareness about concussions among the medical community and the public: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of September 17, 2021, as “National Concussion Awareness Day”;

(2) recognizes that mild traumatic brain injury (“mTBI”), otherwise known as a concussion, is an important health concern;

(3) commends the organizations and individuals that raise awareness about mild traumatic brain injury;

(4) encourages Federal, State, and local policymakers to work together—

(A) to raise awareness about the effects of concussions; and

(B) to improve the understanding of proper diagnosis and management of concussions; and

(5) encourages further research and prevention efforts to ensure that fewer individuals experience the most adverse effects of mild traumatic brain injury.

#### SENATE RESOLUTION 370—HONORING THE MINNESOTANS WHO COMPETED FOR TEAM USA IN THE 2020 TOKYO SUMMER OLYMPIC GAMES

Ms. KLOBUCHAR (for herself and Ms. SMITH) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 370

Whereas 17 Minnesotans qualified to compete for Team USA in the 2020 Tokyo Summer Olympic Games, including: Sunisa (Suni) Lee, Kyra Condie, Lara Dallman-Weiss, Mason Ferlic, Bowe Becker, Regan Smith, Sylvia Fowles, Napheesa Collier, Joe Klecker, Payton Otterdahl, Gable Steveson, Patrick Sunderman, Alise Willoughby, Jordan Thompson, Bethanie Mattek-Sands, Grace McCallum, and Shane Wiskus;

Whereas Suni Lee won the gold medal in the women's gymnastics all-around, helped Team USA win a silver medal in the team final, and won the bronze medal in the uneven bars;

Whereas Grace McCallum helped Team USA win the silver medal in the women's gymnastics team final;

Whereas Neephesa Collier and Sylvia Fowles helped Team USA win the gold medal in women's basketball;

Whereas Jordan Thompson was part of the Team USA women's volleyball team, which won its first-ever gold medal;

Whereas Bowe Becker helped win the gold medal in the men's 4x100 freestyle swimming relay;

Whereas Regan Smith won the silver medal in the 200-meter butterfly, the bronze medal in the 100-meter backstroke, and helped Team USA win the silver medal in the 4x100 meter women's medley relay;

Whereas Gable Steveson won the gold medal in men's freestyle wrestling;

Whereas the athletes trained for many years, demonstrated discipline, exhibited world-class athleticism, and overcame historic obstacles, including the delay and altering of the 2020 Tokyo Summer Olympic Games due to the Coronavirus Disease 2019 (COVID-19) pandemic, to earn the chance to compete for Team USA; and

Whereas team spirit and perseverance were displayed by the athletes throughout the 2020 Tokyo Summer Olympic Games despite the lack of live audiences or cheering fans: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the exceptional talent, extraordinary commitment, and undisputed hard work of the 17 Minnesotans who competed for Team USA at the 2020 Tokyo Summer Olympic Games and made the United States proud; and

(2) honors the example of sportsmanship, excellence, and teamwork of those athletes.

#### SENATE RESOLUTION 371—HONORING THE MINNESOTANS COMPETING FOR TEAM USA IN THE 2020 TOKYO SUMMER PARALYMPIC GAMES

Ms. KLOBUCHAR (for herself and Ms. SMITH) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 371

Whereas 15 Minnesotans qualified to compete for Team USA in the 2020 Tokyo Summer Paralympic Games, including—

- (1) Chuck Aoki;
- (2) Josie Aslakson;
- (3) Abby Bauleke;
- (4) Josh Cinnamo;
- (5) Joe Delagrave;
- (6) Ben Goodrich;
- (7) Rose Hollermann;
- (8) Aaron Pike;
- (9) Summer Schmit;
- (10) Ian Seidenfeld;
- (11) Lexi Shifflett;
- (12) Natalie Sims;
- (13) Melissa Stockwell;
- (14) Josh Turek; and
- (15) Mallory Weggemann;

Whereas Mallory Weggemann won the gold medal in the 200-meter individual medley and the 100-meter backstroke, set Paralympic records in both of these events, and won the silver medal in the 50-meter butterfly;

Whereas Ian Seidenfeld won the gold medal in table tennis;

Whereas Lexi Shifflett helped Team USA women's sitting volleyball win gold;

Whereas Josh Turek helped Team USA men's wheelchair basketball earn the gold medal;

Whereas Chuck Aoki and Joe Delagrave helped win the silver medal for Team USA men's wheelchair rugby;

Whereas Ben Goodrich won the silver medal in judo;

Whereas Josh Cinnamo won the bronze medal for Team USA in track and field for shot put;

Whereas Rose Hollermann, Josie Aslakson, and Abby Bauleke helped win the bronze medal for Team USA women's wheelchair basketball;

Whereas athletes trained for many years, exhibited world-class athleticism, and demonstrated fortitude, discipline, and strength to earn the chance to compete for Team USA; and

Whereas athletes overcame historic obstacles because of the COVID-19 pandemic, including the delay of the 2020 Tokyo Summer Paralympic Games, all the while continuing to display team morale and tenacity throughout the competition despite the lack of live audiences or cheering fans: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the remarkable skill, steadfast determination, and inspiring hard work of the Minnesotans competing on Team USA at the 2020 Tokyo Summer Paralympic Games; and

(2) honors the example of teamwork, sportsmanship, and merit displayed by the Minnesotans competing on Team USA at the 2020 Tokyo Summer Paralympic Games, who make our United States proud.

#### MEASURE READ THE FIRST TIME—S. 2765

Mr. SCHUMER. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 2765) to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

Mr. SCHUMER. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

#### ORDERS FOR TUESDAY, SEPTEMBER 21, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m., Tuesday, September 21; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Strickland nomination; further, that the Senate recess following the cloture vote on the Strickland nomination until 2:15 p.m.

to allow for the weekly caucus meetings; that if cloture is invoked, all post-cloture time expire at 2:30 p.m.; finally, that if any nominations are confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:48 p.m., adjourned until Tuesday, September 21, 2021, at 10:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### COMMODITY FUTURES TRADING COMMISSION

ROSTIN BEHNAM, OF MARYLAND, TO BE CHAIRMAN OF THE COMMODITY FUTURES TRADING COMMISSION, VICE HEATH P. TARBERT.

ROSTIN BEHNAM, OF MARYLAND, TO BE COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING JUNE 19, 2026. (REAPPOINTMENT)

CHRISTY GOLDSMITH ROMERO, OF VIRGINIA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING APRIL 13, 2024. VICE HEATH P. TARBERT.

KRISTIN N. JOHNSON, OF MICHIGAN, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2025. VICE BRIAN D. QUINTENZ, TERM EXPIRED.

##### DEPARTMENT OF AGRICULTURE

MARGO SCHLANGER, OF MICHIGAN, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE, VICE JOE LEONARD, JR.

##### DEPARTMENT OF DEFENSE

NICKOLAS GUERTIN, OF VIRGINIA, TO BE DIRECTOR OF OPERATIONAL TEST AND EVALUATION, DEPARTMENT OF DEFENSE, VICE ROBERT BEHLER.

JOHN BRADLEY SHERMAN, OF TEXAS, TO BE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE, VICE DANA S. DEASY.

##### EXPORT-IMPORT BANK OF THE UNITED STATES

RETA JO LEWIS, OF GEORGIA, TO BE PRESIDENT OF THE EXPORT-IMPORT BANK OF THE UNITED STATES FOR A TERM EXPIRING JANUARY 20, 2025. VICE KIMBERLY A. REED, TERM EXPIRED.

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ALANNA MCCARGO, OF VIRGINIA, TO BE PRESIDENT, GOVERNMENT NATIONAL MORTGAGE ASSOCIATION, VICE THEODORE W. TOZER.

JAMES ARTHUR JEMISON II, OF MICHIGAN, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE ROBERT HUNTER KURTZ.

##### FEDERAL TRADE COMMISSION

ALVARO M. BEDOYA, OF MARYLAND, TO BE A FEDERAL TRADE COMMISSIONER FOR THE TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2019. VICE ROHIT CHOPRA, TERM EXPIRED.

##### FEDERAL ENERGY REGULATORY COMMISSION

WILLIE L. PHILLIPS, JR., OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR A TERM EXPIRING JUNE 30, 2026. VICE NEIL CHATTERJEE, TERM EXPIRED.

##### DEPARTMENT OF COMMERCE

MARIA LOUISE LAGO, OF NEW YORK, TO BE UNDER SECRETARY OF COMMERCE FOR INTERNATIONAL TRADE, VICE GILBERT B. KAPLAN.

##### DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROBERT MICHAEL GORDON, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE ELLEN GLONINGER MURRAY.

INTERNATIONAL BANK FOR RECONSTRUCTION  
AND DEVELOPMENT

ADRIANA DEBORA KUGLER, OF MARYLAND, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS, VICE JENNIFER D. NORDQUIST.

## DEPARTMENT OF STATE

THOMAS CARNAHAN, OF MISSOURI, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-SIXTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

SIM FARAR, OF CALIFORNIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-SIXTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

FRENCH HILL, OF ARKANSAS, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-SIXTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

BARBARA LEE, OF CALIFORNIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-SIXTH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

DEBORAH E. LIPSTADT, OF GEORGIA, TO BE SPECIAL ENVOY TO MONITOR AND COMBAT ANTI-SEMITISM, WITH THE RANK OF AMBASSADOR. (NEW POSITION)

## OFFICE OF PERSONNEL MANAGEMENT

KRISTA ANNE BOYD, OF FLORIDA, TO BE INSPECTOR GENERAL, OFFICE OF PERSONNEL MANAGEMENT, VICE PATRICK E. MCFARLAND, RESIGNED.

## THE JUDICIARY

LUCY HAERAN KOH, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE RICHARD A. PAEZ, RETIRING.

GABRIEL P. SANCHEZ, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE MARSHA L. BERZON, RETIRING.

HOLLY A. THOMAS, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE WILLIAM A. FLETCHER, RETIRING.

HERNAN D. VERA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE MARGARET M. MORROW, RETIRED.

MAAME EWUSI-MENSAH FRIMONG, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE CHRISTINA A. SNYDER, RETIRED.

JENNIFER L. THURSTON, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA, VICE LAWRENCE JOSEPH O'NEILL, RETIRED.

DAVID HERRERA URIAS, OF NEW MEXICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO, VICE MARTHA A. VAZQUEZ, RETIRING.

KATHERINE MARIE MENENDEZ, OF MINNESOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MINNESOTA, VICE JOAN E. LANCASTER, RETIRED.

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be brigadier general*

COL. JAMES D. BRANTINGHAM

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. JEFFREY C. COGGIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. XAVIER T. BRUNSON

## IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES SPACE FORCE UNDER TITLE 10, U.S.C., SECTION 716:

*To be brigadier general*

BRIG. GEN. GREGORY J. GAGNON

## DISCHARGED NOMINATION

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination under the

authority of the order of the Senate of 01/07/2009 and the nomination was placed on the Executive Calendar:

\*THOMAS ANDREW MONHEIM, OF VIRGINIA, TO BE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

\*Nominee has committed to respond to requests to appear and testify before any duly constituted committee of the Senate.

## CONFIRMATION

Executive nomination confirmed by the Senate September 20, 2021:

## THE JUDICIARY

VERONICA S. ROSSMAN, OF COLORADO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT.

## WITHDRAWALS

Executive Message transmitted by the President to the Senate on September 20, 2021 withdrawing from further Senate consideration the following nominations:

NAVY NOMINATION OF BRANDON T. SALES, TO BE LIEUTENANT COMMANDER, WHICH WAS SENT TO THE SENATE ON JANUARY 6, 2021.

ARMY NOMINATION OF MAJ. GEN. BRIAN J. MENNES, TO BE LIEUTENANT GENERAL, WHICH WAS SENT TO THE SENATE ON JUNE 8, 2021.

ADRIANA DOBRA KUGLER, OF MARYLAND, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT FOR A TERM OF TWO YEARS, VICE JENNIFER D. NORDQUIST, WHICH WAS SENT TO THE SENATE ON AUGUST 9, 2021.